

Also, resolution of the New York State assembly, in favor of the enactment of bill H. R. 827, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York State senate, in favor of the enactment of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. LLOYD: Petition of Dr. S. Kennerly and 18 others, and Thomas J. Stephenson and 14 others, of Hannibal, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: Petition of Reuben Woolman and 23 others, and I. F. Conover and 50 others, of Woodstown, N. J., and vicinity, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MORRELL: Resolution of the National Board of Trade, relative to the extension of the navigation laws—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York Board of Trade and Transportation, relative to the harbor of refuge, Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

By Mr. PORTER: Resolution of New York Board of Trade and Transportation, relative to the harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

Also, resolution of the National Board of Trade, relative to the extension of the navigation laws—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill H. R. 11791, for the relief of Revilow N. Spohn—to the Committee on Claims.

By Mr. PEARRE: Papers to accompany claim of J. Henry Cramer—to the Committee on War Claims.

By Mr. ROBINSON of Arkansas: Petition of 90 citizens of Stuttgart, Ark., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of D. T. Miller, of Topeka, Ind., in opposition to a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolutions of New York State senate, favoring the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolutions of the New York legislature, and petition of Thomas B. Quinn, Andrew Beasley, and 43 other citizens and business men of Buffalo, N. Y., in favor of bill H. R. 827, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Papers to accompany bill H. R. 11423, to pension Evelyn S. Beardslee—to the Committee on Pensions.

By Mr. SHIRAS: Resolution of Colonel J. B. Clark Post, No. 163, Grand Army of the Republic, of Allegheny, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SHOBER: Papers to accompany bill for the relief of Isaac A. Hopper & Son—to the Committee on Claims.

By Mr. SMITH of Illinois: Petition of retail merchants of Murphysboro, Ill., protesting against the enactment of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of business men of the West, against enactment of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WM. ALDEN SMITH: Resolution of M. W. Dresser Post, No. 100, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SNOOK: Resolution of the Eighteenth Annual Reunion of Licking County, Ohio, favoring the admission to Soldiers' Homes of the wives of soldiers living therein—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: Petition of business men of Bridgeport, Tex., against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of W. McDonald and 31 others, of Canadian, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Mount Pleasant Cumberland Presbyterian Church and Sunday School, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SULLIVAN of New York: Resolutions of the New York senate, in favor of House bill 827, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the National Board of Trade, for extension of national navigation laws to Philippine commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the New York senate, in favor of Federal aid in road building—to the Committee on Agriculture.

By Mr. SULLOWAY: Petitions of the Free Baptist Church, of 250 members, of Dover, N. H., and Summer C. Harne and 8 others,

of Somersworth, N. H., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SULZER: Resolutions of wholesale dry-goods dealers, in opposition to parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the National Board of Trade, favoring extension of national navigation laws to Philippine commerce—to the Committee on Interstate and Foreign Commerce.

Also, protest of the New York Kerosene Oil Engine Company, against bill H. R. 7033—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the New York Board of Trade and Transportation, relative to destroying derelicts on the Atlantic Ocean—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of New York legislature, favoring the passage of bill H. R. 827, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of New York State senate, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. THAYER: Petition of M. R. Burrage, Abner Pond, W. A. Wood, and 29 others, of Spencer, Mass., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of H. H. Legge Post, No. 25, Grand Army of the Republic, of Uxbridge, Mass., and of Union Veteran's Union, Department of Massachusetts, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of A. B. R. Sprague Post, No. 24, Grand Army of the Republic, of Grafton, Mass., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: Petition of Rev. O. P. Schleichen and 33 others, of Erie, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WADSWORTH: Petition of the Methodist Episcopal Church and Sunday School of North Ridge and Dickersonville, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WALLACE: Petition of A. J. Anderson and 46 others, of Hope, Ark., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of Magnolia, Ark., against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of business men of the West, against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WARNOCK: Resolution of Livingston Post, No. 425, Grand Army of the Republic, Department of Ohio, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WYNN: Petition of the Second Presbyterian Church of San Jose, Cal., in favor of the Lewis and Clark exposition—to the Select Committee on Industrial Arts and Expositions.

SENATE.

FRIDAY, February 5, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. DOLLIVER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

SCHOONER VARIETY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Variety*, Micah Dyer, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1909) to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land:

A bill (H. R. 3578) to authorize the Mercantile Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of North Charleroi, Washington

County, to a point in Rostraver Township, Westmoreland County;
A bill (H. R. 5511) to authorize registers and receivers of the United States land offices to furnish transcripts of their records to individuals;

A bill (H. R. 9319) providing for the construction of a bridge across the Red River of the North at Fargo, N. Dak.;

A bill (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect; and

A bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the Maennerchor of Oklahoma, Okla.; of the German Singing Society of Cumberland, R. I.; of the German Fraundschaftsbund, of Charleston, S. C.; of Hohenzoller Lodge, No. 652, of Barre, Vt.; of the Turn Verein of Wheeling, W. Va.; of the Concordia Society, of New Britain, Conn.; of Allemania Lodge, No. 13, of Denver, Colo.; of the Eintracht Verein, of Sacramento, Cal.; of the Turn Verein of Manning, and of the German Sick Society of Stockton, in the State of Iowa; of the Thusneld Rebekah Lodge, No. 43, of Chicago; of the German Benevolent Society of Ottawa, and of the Dramatic Society of Peoria, all in the State of Illinois; of the Rheinpfalzer Benevolent Society, of Louisville, Ky.; of the Schwaben Benefit Society, of Detroit, and of the Schwaben Verein of Jackson, in the State of Michigan; of the German Veteran Society of St. Paul; of the St. Joseph's Benevolent Society, of Stillwater; of the Badischer Unterstützungs Verein, of St. Paul; of the Turn Verein of St. Paul; of Concordia Lodge, No. 5, of St. Paul, and of Garfield Lodge, No. 22, of South Stillwater, all in the State of Minnesota; of Germania Lodge, No. 7, of St. Louis; of the Carondelet Germania Turn Verein, of Louis, and of the Schwaebischer Saengerbund, of St. Louis, all in the State of Missouri; of the Harmonia Singing Club, of Boston, Mass.; of the Ostholzer Turn Verein, of New York City; of the Stoteler Club, of Brooklyn, and of the Eintracht Singing Society, of Albany, all in the State of New York; of Harmonie Lodge, No. 13, of Cleveland; of the Logan Unterstützungs Verein, of Cincinnati; of the Rheinpfalzer Turn Verein, of Cincinnati; of the German Benevolent Society of Toledo; of the Deutscher Brueder Unterstützungs Turn Verein No. 1, of Cincinnati, and of the Deutscher Saengerbund, of Cleveland, all in the State of Ohio; of the Liederkranz of Pottsville; of the Unterstützung Verein of Philadelphia; of the German Maennerchor of Portage, and of the German Workmen's Mutual Benefit Association, of Braddock, all in the State of Pennsylvania; of Progress Lodge, No. 99, of Milwaukee; of Schiller Lodge, No. 68, of Sheboygan; of Robert Blum Lodge, No. 4, of Milwaukee, and of the Eichenkranz Singing Society, of Milwaukee, all in the State of Wisconsin; of the National Society of Elizabeth; of the Aurora Singing Society, of New Brunswick; of the Württemberger Beneficial Association, of Trenton; of the Germania Bakers' Singing Society, of Paterson; of the Chambersburg Liederkranz Singing Society, of Trenton; of the Independent Schuetzen Corps, of Hoboken; of the Turn Verein of Paterson; of the Unterstützung Verein of Paterson, and of the Schuetzen Corps of Hoboken, all in the State of New Jersey, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PLATT of New York. I present a memorial of the legislature of New York, relative to an appropriation for the improvement of the highways of the country. I ask that the memorial be printed in the RECORD, and referred to the Committee on Agriculture and Forestry.

There being no objection, the memorial was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK, in Senate:

ALBANY, January 23, 1904.

Whereas Hon. W. P. BROWNLOW, a Representative in Congress from Tennessee, has introduced in the House of Representatives a bill providing for an appropriation by the Federal Government of \$24,000,000, to be distributed among the States of the Union according to their population for Federal co-operation in road building; and

Whereas should such a bill become a law, the State of New York will receive as its share \$2,100,000; and

Whereas there is great need for improving the highways of this State: Therefore, be it resolved, That the senate of the State of New York, believing in the principle of national, state, county, and town co-operation in the construction of main highways, not only for the benefit of the agriculturist, but for the benefit of the consumers of agricultural products, and also believing in the great proposition that the expenditure of public moneys for the purpose of improving the internal wealth and commerce of the nation is of equal importance to the spending of money on rivers and harbors, heartily indorse the provisions of the Brownlow bill and desire its passage; and

Further be it resolved, That we ask our Senators and Representatives in

Congress to use all honorable efforts in passing this bill in order to secure for the State of New York the benefits of national aid in road construction; and Be it further resolved, That a copy of this resolution be sent to Hon. JAMES W. WADSWORTH, Chairman of the Agricultural Committee, and each of the Senators and Congressmen from this State.

By order of the senate:

J. S. WHIPPLE, Clerk.

Mr. PLATT of New York. I present a memorial of the legislature of New York relative to the enactment of legislation to promote the efficiency of the Life-Saving Service. I ask that the memorial be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the memorial was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK, in Senate:

ALBANY, January 27, 1904.

Whereas a bill has been introduced in the House of Representatives of the Fifty-eighth Congress of the United States, No. 827, entitled "A bill to promote the efficiency of the Life-Saving Service," which bill is designed to make provision for those connected with this important branch of the Government service, which service is constantly attended with peril, hardship, and self-sacrifice in devotion to the protection of life and commerce, numerous instances of heroic service to the cause of humanity being matters of daily record; and

Whereas, owing to lack of legislation making provision for those who may be incapacitated, owing to incidents of the service, accident, exposure, or years of service, no provision is now made for the protection of those whose duties are attended with great hazard to life and health: Therefore, be it

Resolved, If the assembly concur, that the Representatives in Congress from the State of New York be, and hereby are, requested to use their efforts in promoting the progress of said bill or some measure which, in their judgment, shall do ample justice to the class of persons designed to be benefited, and assist in its enactment into law, and that copies of these resolutions be transmitted to the Senators and Congressmen from the State of New York and to the Committee on Interstate and Foreign Commerce, to which committee the bill has been referred.

By order of the senate.

J. S. WHIPPLE, Clerk.

Concurred in by order of the assembly.

A. E. BAXTER, Clerk.

Mr. FAIRBANKS presented a memorial of the Sparks Department Store, of Summitville, Ind., and the memorial of A. W. Eiler & Bros. and sundry other citizens of Evansville, Ind., remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Christian Endeavor Society of the Presbyterian Church of Rockville, of the congregation of the United Presbyterian Church of Leroy, and of Mrs. Rosa B. Gebhart and sundry other citizens of Indiana, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Supreme Tribe of Ben Hur, of Crawfordsville, Ind., praying for the passage of the so-called post-check currency bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Joseph R. Gordon Post, No. 281, Department of Indiana, Grand Army of the Republic, of Indianapolis, Ind., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of D. B. Bowers, of Nails; of La Due & Carmer, of Auburn, and of John W. Neumann & Co., of Indianapolis, all in the State of Indiana, praying for the enactment of legislation to enlarge the powers of the Interstate-Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Methodist Episcopal Church of Fortville, Ind., and the petition of W. C. Cartwright, of Portland, Ind., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. MILLARD presented a petition of the Woman's Christian Temperance Union of Aurora, Nebr., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Navy League of the United States of San Francisco, Cal., praying for the enactment of legislation providing a homogeneous fleet of war vessels of all needed classes and of the most modern approved type; which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Ontario, Cal., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. DRYDEN presented petitions of sundry citizens of Clinton, of the Woman's Christian Temperance Union of Boonton, of the congregation of the Reformed Church of Boonton, of the congregation of the Methodist Episcopal Church of Boonton, and of the

congregation of the Presbyterian Church of Boonton, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a memorial of sundry citizens of Ottumwa, Iowa, remonstrating against the ratification of the Isle of Pines treaty; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Commercial Club of Oskaloosa, Iowa, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Ackley, Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of A. C. Taylor Post, No. 165, Department of Iowa, Grand Army of the Republic, of Algona, Iowa, and a petition of Schriver Post, No. 177, Department of Iowa, Grand Army of the Republic, of Bentonsport, Iowa, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. CULLOM presented a memorial of sundry citizens of Joliet, Ill., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Old Veteran McKinley Club, of Chicago, Ill., praying for the enactment of legislation granting a pension of \$75 per month to all veterans of the war of the rebellion upon whom Congress has bestowed a medal of honor; which was referred to the Committee on Pensions.

He also presented a petition of J. M. Smith Post, No. 720, Department of Illinois, Grand Army of the Republic, of Mount Morris, Ill., and a petition of T. A. Apperson Post, No. 202, Department of Illinois, Grand Army of the Republic, of Neoga, Ill., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented sundry petitions of the Retail Merchants' Association, of Moline, Ill., praying for the enactment of legislation to regulate the manufacture and sale of food products; which were referred to the Committee on Manufactures.

He also presented a petition of W. M. Hobbs Lodge, No. 4, Brotherhood of Railroad Trainmen, of Chicago, Ill., and a petition of Decatur Lodge, No. 414, Brotherhood of Railroad Trainmen, of Decatur, Ill., praying for the passage of the so-called anti-injunction bill and also the employers' liability bill; which were referred to the Committee on the Judiciary.

Mr. TELLER presented petitions of Butler Post, No. 91, of Pueblo; of Joe Hooker Post, No. 16, of Monte Vista; of Post No. 6; of Post No. 31; of Post No. 109; of Washington Post, No. 85, and of Post No. 13, all of the Department of Colorado and Wyoming, Grand Army of the Republic, in the State of Colorado, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Pueblo Parliamentary Club, of Pueblo; of sundry citizens of Longmont, and of the Woman's Christian Temperance Union of Platteville, all in the State of Colorado, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MITCHELL presented sundry papers to accompany the bill (S. 2849) granting an increase of pension to Mark R. Jones; which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 4126) granting an increase of pension and back pay to P. Q. Healey, alias John Quinn; which were referred to the Committee on Pensions.

Mr. ELKINS presented a petition of the Mothers' Club of Fairmont, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Laurel Hill Post, No. 10, Department of West Virginia, Grand Army of the Republic, of West Virginia, and a petition of Hazen Post, No. 66, Department of West Virginia, Grand Army of the Republic, of West Virginia, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Board of Trade of Cairo, Ill.; of the Chamber of Commerce of Spokane, Wash.; of the Peshtigo Good Roads Association, of Marinette County, Wis., and of the Cotton Exchange of Savannah, Ga., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce

Commission; which were referred to the Committee on Interstate Commerce.

Mr. FOSTER of Washington presented a petition of the Chamber of Commerce of Everett, Wash., praying that an appropriation be made for the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of sundry citizens of Custer, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HOAR presented a petition of the Druggists' Association of Boston, Mass., praying for the enactment of legislation providing for the ratification of a permanent treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented petitions of Charles D. Sanford Post, No. 79, of North Adams; of General Wadsworth Post, No. 63, of Natick; of Reynolds Post, No. 58, of Weymouth; of General J. G. Foster Post, No. 163, of South Framingham; of William H. Smart Post, No. 30, of Cambridge; of George A. Austin Post, No. 70, of Millbury; of Parker Post, No. 123, of Athol; of John A. Hawes Post, No. 159, of East Boston; of Major-General H. G. Berry Post, No. 40, of Malden; of Phil H. Sheridan Post, No. 34, of Salem; of Charles C. Smith Post, No. 183, of South Hadley Falls; of A. C. Monroe Post, No. 212, of East Bridgewater; of Colonel C. R. Mudge Post, No. 114, of Merrimac; of E. B. Piper Post, No. 157, of Walpole; of Fletcher Webster Post, No. 13, of Brockton; of George W. Perry Post, No. 31, of Scituate; of Major Howe Post, No. 47, of Haverhill; of George E. Sayles Post, No. 126, of Adams, and of Ozro Miller Post, No. 93, of Shelburne Falls, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. NELSON presented a petition of the Board of Trade of St. Paul, Minn., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Men's Club of the First Methodist Episcopal Church of St. Paul, Minn., praying for the enactment of legislation to prevent nullification of State liquor laws and no-license ordinances by so-called "original packages" and other "interstate commerce" tricks; which was referred to the Committee on the Judiciary.

Mr. PLATT of Connecticut presented a petition of sundry citizens of Thompsonville, Conn., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

Mr. BEVERIDGE presented a memorial of sundry citizens of Vincennes, Ind., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Cigar Makers' Local Union, No. 399, American Federation of Labor, of Vincennes, Ind., praying for the enactment of legislation to amend section 3394 of the Revised Statutes of the United States, relating to tobacco; which was referred to the Committee on Finance.

Mr. GAMBLE presented a petition of the South Dakota Anti-Saloon League, of Mitchell, S. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of Rev. George H. Reed, of Concord; of the congregation of the Curtis Memorial Free Baptist Church, of Concord; of the congregation of the Congregational Church of Winchester, and of the congregation of the Universalist Church of Concord, all in the State of New Hampshire, and of Noyes Brothers & Butler, of St. Paul, Minn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented the petition of Henry Barden, chaplain, Grand Army of the Republic, of Portland, Oreg., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

DELAWARE INDIAN LANDS.

Mr. PENROSE. I present for my colleague [Mr. QUAY] the memorial of Richard C. Adams, representing the Delaware Indians, concerning the Dawes Commission and its action in connection with the making of the Delaware segregation, etc. I move that the memorial be printed as a document in connection with Senate Document No. 58, Fifty-eighth Congress, second session, and that it be referred to the Committee on Indian Affairs. The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. STEWART, from the Committee on Indian Affairs, to whom was referred the bill (S. 3133) to restore to the public domain a portion of the Gila River Indian Reservation, in the Territory of Arizona, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. PENROSE, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 665) for the relief of John F. Finney, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Indian Affairs, to whom was referred the amendment submitted by himself on the 13th ultimo, authorizing the Chippewa Indians in the State of Minnesota to dispose of the timber on their respective allotments, reported it with an amendment, submitted a report thereon, and moved that it be referred to the Committee on Indian Affairs and printed; which was agreed to.

Mr. FAIRBANKS, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 4100) to acquire certain ground for a Government reservation, asked to be discharged from its further consideration, and that it be referred to the Committee on the District of Columbia; which was agreed to.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (S. 3546) relating to proofs under the homestead laws, and to confirm such proofs in certain cases when made outside of the land district within which the land is situated, reported it with amendments, and submitted a report thereon.

Mr. LONG, from the Committee on Indian Affairs, to whom was referred the bill (S. 3204) permitting the Kiowa, Chickasha and Fort Smith Railway Company to sell and convey its railroad and other property in the Indian Territory to the Eastern Oklahoma Railway Company, and the Eastern Oklahoma Railway Company to lease all its railroad and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company, and thereafter to sell its railroad and other property to said the Atchison, Topeka and Santa Fe Railway Company, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 7024) to name streets, avenues, alleys, highways, and reservations in that part of the District of Columbia outside of the city of Washington, and for other purposes, to report it without amendment, and to submit a report thereon.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER. I move that the bill (S. 2436) authorizing the Commissioners of the District of Columbia to name streets, avenues, alleys, highways, and reservations in that part of the District of Columbia outside of the city of Washington, and for other purposes, being Order of Business No. 190 on the Calendar, be indefinitely postponed, and that the House bill just reported by me be given its place on the Calendar.

The motion was agreed to.

FORT GRISWOLD, CONN.

Mr. PROCTOR. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 3800) donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of War to deliver, if the same can be done without detriment to the Government, to the commissioners appointed by the governor of the State of Connecticut for the care and preservation of the Fort Griswold tract for the purpose of a public park, as provided for in the act of Congress approved June 6, 1902 (vol. 32, pt. 1, Stat. L., p. 306), four barrette carriages for 8-inch Rodman gun, front pintle, and one barrette carriage for 24-pounder rifle, front pintle.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. MITCHELL, from the Committee on Post-Offices and Post-Roads, to whom was referred the resolution submitted by Mr. GORMAN December 19, 1903, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Postmaster-General be, and he is hereby, instructed to send to the Senate the reports upon the investigation of the irregularities in the Post-Office Department, by Assistant Postmaster-General Bristow, together with the reports of Messrs. Holmes Conrad and Charles J. Bonaparte, special counsel for the Government, on the charges made by S. W. Tulloch, formerly cashier of the Washington city post-office.

VISIT OF PORTO RICAN TEACHERS.

Mr. FORAKER. I am directed by the Committee on Pacific Islands and Porto Rico to report back favorably without amendment the joint resolution (H. J. Res. 79) for the transportation of Porto Rican teachers to the United States and return, and I ask that it may be read and now considered.

The Secretary read the joint resolution; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of War during the year 1904, at such time as requested by the governor of the island of Porto Rico, to transport from the island of Porto Rico to the United States and to return from the United States to Porto Rico, on one of the vessels engaged in the transport service of the United States, not to exceed 600 of the Porto Rican teachers in the public schools of that island, and in addition thereto not to exceed 25 necessary attendants, such teachers and attendants to be selected by the commissioner of education of the island, for the purpose of attending the various summer schools of the universities, colleges, and other institutions of learning in the United States during the year. But a subsistence charge of \$1 per day for each day on such vessel shall be collected from each of such persons so transported; and the Government of the United States shall not be liable for, and shall not defray, the expenses of the teachers and attendants, or of any such of them, incurred while in the United States.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. FOSTER of Louisiana introduced a bill (S. 4125) to authorize the Little Rock and Monroe Railway Company to construct, maintain, and use a bridge across Ouachita River, in the State of Louisiana, at a point between Ouachita City and the mouth of Bayou Loutre; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MITCHELL introduced a bill (S. 4126) granting an increase of pension and back pay to P. Q. Healy, alias John Quinn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM. I introduce a bill, with an accompanying statement, to which I ask the attention of the committee to which the bill shall be referred. I confess I hardly know where the bill ought to be referred. I am inclined to think that it ought to go to the Committee on Public Lands, and I will make that motion.

The bill (S. 4127) for the preservation of aboriginal monuments, ruins, and other antiquities, and for other purposes was read twice by its title.

The PRESIDENT pro tempore. The bill should go, in the opinion of the Chair, either to the Committee on Public Lands or to the Committee on the Library.

Mr. CULLOM. I debated that question myself. It occurs to me that the Committee on the Library would hardly have jurisdiction of the question.

The PRESIDENT pro tempore. The bill will be referred, then, with the accompanying paper, to the Committee on Public Lands.

Mr. CULLOM introduced a bill (S. 4128) granting an increase of pension to Peter Kaufman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4129) granting an increase of pension to William Markman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PROCTOR introduced a bill (S. 4130) to amend sections 1288, 1293, and 1294 of the Code of the District of Columbia, relating to marriage, so as to authorize marriages according to the custom of the Society of Friends or Quakers; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT of New York introduced a bill (S. 4131) for the relief of Martha E. Conklin; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4132) granting an increase of pension to Addison L. Scott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 4133) for the relief of Stephen Crotty; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 4134) granting to the city and county of San Francisco, for water-supply purposes, the use of certain lands in a forest reservation in the State of California; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MILLARD introduced a bill (S. 4135) granting an increase of pension to Jane Francis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ELKINS introduced a bill (S. 4136) for the relief of Elizabeth M. Earle, administratrix of the estate of J. B. Earle, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4137) granting an increase of pension to George W. Hutchison;

A bill (S. 4138) granting a pension to Julia A. Johnson (with an accompanying paper);

A bill (S. 4139) granting a pension to John D. Henderson; and

A bill (S. 4140) granting an increase of pension to John M. Postlewait.

Mr. McCUMBER introduced a bill (S. 4141) granting an increase of pension to Samuel A. Dickey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER introduced a bill (S. 4142) granting to the Davenport Water Power Company rights to construct and maintain wing dam, canal, and power station in the Mississippi River, in Scott County, Iowa; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 4143) granting an increase of pension to Rufus B. Tucker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DUBOIS introduced a bill (S. 4144) for the relief of John L. Smithmeyer and Paul J. Pelz; which was read twice by its title, and referred to the Committee on Claims.

Mr. MCENERY introduced a bill (S. 4145) to quiet certain land titles in the State of Louisiana; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4146) for the relief of the heirs of Joseph L. Bernard, deceased;

A bill (S. 4147) for the relief of the heirs of Mary C. Stirling and Rufin G. Stirling, both deceased, and S. C. Stirling, H. R. Stirling, and J. Anna Stirling, administratrix of W. R. Stirling, deceased; and

A bill (S. 4148) for the relief of the State National Bank of New Orleans, formerly Louisiana State Bank.

Mr. MARTIN introduced a bill (S. 4149) for the relief of Samuel S. Dennis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4150) for the relief of George H. Mellen, deceased; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PLATT of Connecticut introduced a bill (S. 4151) granting an increase of pension to Thomas J. Spencer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 4152) granting an honorable discharge to John Kinchlow; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 4153) to promote the efficiency of the Revenue-Cutter Service; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 4154) granting an increase of pension to Charles Lewis; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 4155) for the extension of S street, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4156) for the establishment of public convenience stations and bath houses; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. LONG introduced a bill (S. 4157) granting a pension to Elizabeth Barnes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 4158) granting an increase of pension to John C. Rassbach; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4159) granting an increase of pension to George W. Gray; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FORAKER introduced a bill (S. 4160) providing for a naval training station on Put in Bay Island, in Lake Erie; which

was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4161) providing for the expenditure of money hitherto appropriated for the improvement and maintenance of Ashtabula Harbor, Ohio; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PETTUS introduced a joint resolution (S. R. 44) as to the provisions of "An act for the relief of certain settlers on the public lands, and to provide for the payment of certain fees, purchase money, and commission paid on void entries of public lands," approved June 16, 1880; which was read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. OVERMAN submitted an amendment proposing to appropriate \$10,000 to cover costs, expenses, etc., incident to the prosecution of the suit of the United States v. D. L. Boyd et al., now pending in the circuit court for the western district of North Carolina, for the purpose of determining the rights of about 600 or more persons who claim to be members of the Eastern band of Cherokee Indians and entitled to share in the distribution of the funds and in the enjoyment of the lands belonging to said band of Indians, and providing for a complete census roll of said band of Indians and of the Cherokee Indians residing east of the Mississippi River, etc., intended to be proposed by him to the Indian appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Indian Affairs.

Mr. LODGE submitted an amendment providing that in readjusting the salaries and allowances of postmasters of the first, second, and third class no increase in salaries or allowances shall be made unless the mailing receipts of the office shall substantially balance or equal the receipts of the office from the sale of stamps, stamped envelopes, or stamped paper, intended to be proposed by him to the post-office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. PROCTOR submitted an amendment proposing to increase the salary of the consul at Moscow, Russia, from \$2,000 to \$2,500 per annum, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. NELSON submitted an amendment proposing to appropriate \$8,524.10 to pay the owners of the Norwegian steamer *Ragnar* for damages arising from the collision between said steamer and the United States army transport *Sumner* in the Yangtze River, China, on March 18, 1902, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

JAMES C. WHITTEN—WITHDRAWAL OF PAPERS.

On motion of Mr. FORAKER, it was

Ordered, That leave be granted to withdraw the papers on file in the office of the Secretary of the Senate in connection with the bill (S. 3561, 57th Cong., 1st sess.) for the relief of James C. Whitten, there having been no adverse report on said bill.

REPORT OF ISTHMIAN CANAL COMMISSION.

Mr. MORGAN. I submit the following order, and ask for its immediate adoption. There is only a single copy of part 2 in the document room.

The order was agreed to, as follows:

Ordered, That the final report of the Isthmian Canal Commission, parts 1 and 2, made to the President, November, 1901, be reprinted in one volume, with the indexes thereto, and bound in cloth, for the use of the Senate.

NEBRASKA SENATORIAL INVESTIGATION.

Mr. HOAR submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the expenses to be incurred by the special committee appointed to investigate and report to the Senate all the facts connected with the appointment of Jacob Fisher as postmaster at Hastings, Nebr., and the leasing of the building used at this time for a post-office in that city, and particularly to investigate and report as to the action of CHARLES H. DIETRICH, a Senator from Nebraska, in connection with such appointment and leasing, be paid from the contingent fund of the Senate upon vouchers signed by the chairman of said committee.

URGENT DEFICIENCY APPROPRIATION BILL.

The PRESIDENT pro tempore. The morning business is closed.

Mr. HALE. I ask that the urgent deficiency appropriation bill be proceeded with.

The Senate resumed the consideration of the bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

Mr. PATTERSON rose.

Mr. HALE. Before the Senator from Colorado goes on, will he let me put in two or three nominal amendments to meet estimates that have come in? It will not take any time.

Mr. PATTERSON. Certainly.

Mr. HALE. On page 83 of the bill, at the end of line 19, I move to insert:

To pay the audited account of Alonzo P. Turner for paid transportation, services, and supplies of Oregon and Washington volunteers in 1855 and 1856, as per certificate No. 407770, \$46.85.

The amendment was agreed to.

Mr. HALE. On page 50, after line 20, I move to insert:

For expenses of hearings held by order of the Commissioner of the General Land Office to determine whether alleged fraudulent entries are of that character or have been made in compliance with law, \$5,000, or so much thereof as may be necessary.

The amendment was agreed to.

Mr. HALE. On page 4, in line 15, I move to amend the committee amendment already adopted by striking out "six" and inserting "eight," so as to read:

For expenses, not salaries, of inspection of consulates, to be expended under the direction of the Department of State, \$8,000.

The PRESIDENT pro tempore. The Chair calls to the attention of the Senator from Maine [Mr. HALE] that, in the last case, the former agreement to the amendment of the committee should be reconsidered and then let the amendment be amended as suggested. It would be entered in the Journal in that way.

Mr. HALE. Very well; let that course be adopted.

The PRESIDENT pro tempore. The vote by which the amendment was agreed to will be reconsidered, there being no objection.

The question is on agreeing to the amendment now submitted by the Senator from Maine to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Maine [Mr. HALE] to page 26, lines 7, 8, and 9, the amendment of the committee, inserting "\$100 and" in the appropriation for heating apparatus for public buildings. The RECORD does not show that the amendment has been agreed to.

Mr. HALE. That should be agreed to.

The PRESIDENT pro tempore. The amendment will be agreed to.

Mr. HALE. I supposed it had been agreed to.

The PRESIDENT pro tempore. It is now agreed to.

Mr. PATTERSON. Mr. President, when I took the floor yesterday afternoon just before adjournment it was with the intention of occupying it a very short time, and the mere fact of adjournment has not changed my purpose. There were some matters referred to by Senators upon both sides to which I do not give my full assent, and as they relate to matters of history I think it quite well enough that the record should be kept clean in so far as the correct statement of causes and results will tend to do so.

It would be quite disrespectful to the particular item in the appropriation bill under discussion and the point of order if I were to omit all reference to them, and while I will say something about them, but very little of my time will be occupied in that way.

I am in pretty strong sympathy with the point of order taken by the Senator from Texas [Mr. BAILEY], and also with the proposition that legislation of this character is of very doubtful propriety. Many objections may be presented, many substantial objections, but in view of the fact that nearly all the nations of the world are participating in the exposition that is to occur this year in St. Louis, I think that, whatever our objections may be to this particular legislation, we may follow in the lead of the President in justifying a treaty about which he evidently feared questions might be raised, and that was justly open to the most serious constitutional objections, and that embraces a pretty clear disregard of treaty obligations, by the proposition that he presented, namely, that we are in this instance the mandatories of collective civilization. It is a ground that will cover a multitude of objections to any kind of legislation that may be more than local in its character, and in this case I propose to salve my convictions in voting for the exposition appropriation by the claim that, in view of the interests that are involved and the number of foreign nations who are intending to participate, the Congress is the mandatory of collective civilization, and therefore substantial objections to the appropriation should be put aside.

But, very properly, Mr. President, the discussion yesterday took a wider range, and immediately upon the fact being suggested by the Senator from Massachusetts [Mr. LODGE] that we had a

Treasury and revenues that would not permit anything but the most rigid economy in the matter of expenditures by reason of the possibility of a deficiency, the question of financial policy was put in issue, and might be properly discussed.

The proposition of prosperity received a great deal of attention. The Senator from Ohio [Mr. FORAKER] gave a very glowing picture of the prosperity of the country under Republican Administrations and the want of prosperity whenever a Democratic Administration took the reins of government.

I was impressed with this possibility, that all departments of industry were prosperous, in the opinion of the Senator from Ohio, except the trusts and syndicate industries, and that he desired to even up prosperity by introducing an amendment to the antitrust law which would give to the trusts and syndicates benefits that they could not now acquire, and remove from their front menaces with which they are constantly confronted.

I was struck with a peculiarity of the debate on both sides. It seemed to proceed upon the theory that whether we were in prosperous times or in bad times the condition, whatever it was, was properly traceable to the tariff schedules; that if the country was exceedingly prosperous then it was a Republican Administration that brought it about, and if the times were less prosperous, then it was by reason of the advent of a Democratic Administration or by a proposition in some Democratic platform to reform to a greater or a less degree the tariff laws of the country.

Mr. President, I believe we all concede that we have had good times, prosperous times, both in Democratic and in Republican Administrations. I think that it is conceded that from 1880 until 1890 the country enjoyed an unusual degree of prosperity, a period that embraced one full Democratic Administration and a Republican Administration and a part of a second one.

I refer to that for the purpose of suggesting what I have many times maintained: This proposition of prosperity is not so much a question of tariff schedules as it is of other causes quite far removed from tariff schedules. I do not believe that Providence does everything to bring about prosperity. I have no hesitation in admitting that bad laws and good laws have a great deal to do with the business condition of the country, with wages, with profits, with the quality of maintenance that the masses of the country acquire, and those laws may be tariff laws or they may be financial or other laws.

Nor do I believe that the amount of the balance that may happen to be in the Treasury this year or last year or next year is a sure indicia of business conditions. Nor is it so much a question of balance of trade or of exports and imports. Good times or bad times may exist with the balance of trade against us or in our favor, and either one or the other condition may exist with a surplus in the Treasury or a depleted one.

The condition of the Treasury depends too much, Mr. President, upon what may be mere accidental causes or unusual or extraordinary conditions for that to be a certain indicia of the real condition of the country.

That we did have unexampled prosperity from 1880 until well on to 1892 is borne out not only by the individual experiences of the elder people of the country, but by those who have written upon the subject, and I only take time to quote upon this subject from the History of American Coinage, written by Mr. David K. Watson, a staunch Republican of Ohio and a monometallist of the most approved type, who, writing upon the question of financial legislation, makes this statement with reference to the state of the country during the eleven or twelve years that I have called attention to:

It is said by the friends of free coinage that the effect of not coining silver has been to depress prices and cause hard times. Is this statement true? It is true that after 1892 prices generally declined and business depression prevailed throughout the United States; but it is also true that from 1880 to 1892 this country enjoyed its most prosperous period. Land brought good prices during those years, and in many cases almost doubled in value; farm products sold well; labor commanded higher wages than ever before in this country, and an idle man was a scarcity.

Then again:

The prosperity of the United States from 1880 to 1892 can not be denied. Mr. Mulhall, the most distinguished living statistician, has recently published a book entitled "The Balance Sheet of the World." In speaking of the United States he says:

"It would be impossible to find in history a parallel to the progress of the United States in the last ten years. Every day that the sun rises upon the American people it sees the addition of two and a half millions of dollars to the accumulation of wealth in the Republic, just one-third of the daily accumulation of all mankind outside of the United States."

Mr. President, Mr. Cleveland was elected in 1884. In 1888 he was renominated and defeated, and in 1892 he was again renominated and reelected. The Chicago convention which gave him his last nomination had in mind the degree of prosperity that existed under his first Administration, and after it was announced that he had received the necessary two-thirds vote the convention

broke out into a refrain, the exact words of which I have not got, but it was to the effect of—

Grover, Grover,
We'll live four years more in clover.

During Mr. Cleveland's Administration, from 1884 until 1888, the country was as prosperous as it had ever been. Those four years formed a part of the twelve years that all agree in declaring to have been the most prosperous period in the history of the country.

Mr. Cleveland gave to the United States during his first term a Democratic Administration. True, Mr. President, he had made apparent his hostility to bimetalism, but it did not take form except in utterances. No law was enacted that interfered with the then existing condition of the finances.

When Democrats, however, undertake to suggest that Mr. Cleveland's second Administration, commencing with March 4, 1903, was a period of prosperity, either unusual or relative, or at all, they are doing violence to the experience of the country and to the history as that history has been written. I will not undertake just now to state what was the cause of the panic and the depression and the bankruptcies that fell upon the country. I will simply call attention to a few historical facts, and perhaps a proper conclusion may be drawn from them.

In 1891 we recall the failure of Baring Brothers. A shiver ran through the commercial and the financial world. A great banking institution that had existed for generations, with branches in all the great capitals of the world, suffered a complete collapse, and from the moment of the announcement of that failure prosperity commenced to wane. The banks commenced to withdraw their loans. They refused new loans unless in exceptional cases.

The reason was not one of tariff or of tariff schedules. It was because the financial world was troubled. It did not know how far the causes of the Baring Brothers failure might reach, and, as upon all such occasions, the men who controlled the money commenced to gather it in and refused to allow it to go out. The result of it was a diminution of the building and other industries of all the great cities—slow at first, but gathering speed as time progressed.

Then came the election of Mr. Cleveland. Following his election by orders in council the Indian mints were closed to the coinage of silver, and in August an extra session of Congress convened under proclamation of the President for the purpose of undoing the coinage laws and inaugurating the system that has existed since.

Mr. President, there are many here who recollect the conflict on the floor of the Senate and the House, commencing, I think, upon the 8th of August and not ending until the early part of November. We then witnessed the power of an Administration determined to control the votes of so-called representatives of the people both here and in another part of the Capitol.

I have never questioned but that President Cleveland received his election as the result of an understanding that should he be elected he would pursue the course he took and use all the power, all the tremendous power and influence of the White House, to strike from the statute books of the country what is known as the purchasing clause of the Sherman law.

Mr. President, during the second of Mr. Cleveland's terms this country did not have a Democratic President. Had Mr. Cleveland made known, even by insinuation, during the campaign that his first public act would be to use the powers of the great office for which he was a candidate to stop the purchase and coinage of silver, not all the money bags of Wall street, not all the banking syndicates of the country, could have saved him from the defeat he would have deserved. When he called the extra session of Congress and put it to the Senate and House that the silver-purchasing clause of the Sherman law should be repealed, we had the spectacle of a Democratic President championing a Republican measure, and by reason of the championship of that Republican measure bringing his own party into deserved odium and making certain its defeat at the ensuing election.

I was here, Mr. President, as a spectator during several months of that controversy. I did not know what influences were brought to bear, either here or elsewhere; but all of us saw the result of the influences in the falling away of Democratic Senators and Representatives from the support of what I have always maintained was the money of the Constitution and the money of the people. With what result? Mr. President, of course the balance of trade went against us; of course our exports decreased. Who will forget the business condition of the country commencing with the early spring of 1893, immediately following the closing of the mints of India and the enactment of a Republican financial measure under the championship of a so-called Democratic President?

Mr. President, that was the forerunner of the Coxey army.

There was hardly a great city of this country that was without a company or regiment or a brigade of starving and workless men camped within its borders and, to prevent worse things, forcing contributions to keep them from starving. Thousands of them made their way to this capital. They camped outside of the city or in its immediate neighborhood. It was an era of gloom, of suffering. Liquidation did not end during the four years of President Cleveland's Administration. I recall that the mills of New England were closed down.

Men went out upon the strike by thousands and tens of thousands because they received notice that their wages must be reduced. The mining camps of the West for more than a year had the locks turned upon them; their shafts were unused; men with large investments, many of them, were pauperized, and tens of thousands of starving miners were turned out on the highways and byways without means of subsistence, except that which they could get from the generous communities of the country to which they made their way.

Mr. President, while I was here during the extra session of 1893 I recollect a conversation at the Shoreham Hotel with a leading New England Republican. I protested against the course of his party and their aid-de-camp, the President. I called his attention to the condition of industry in his own locality, and suggested to him that it was the logical and necessary result of the policy that was being pursued.

He was an ardent advocate of the repeal of the silver-purchasing clause. "Why," he said, "Mr. PATTERSON, you are mistaken; the manufacturers of the country have come to the conclusion that, in connection with the repeal of the silver-purchasing clause, there must be a readjustment of the industries of the country, and the owners of the mills can better treat for lower wages with men with empty bellies than they can with those who are remuneratively employed in their mills." So, Mr. President, Mr. Cleveland's Administration was four years of gloom.

Mr. ALDRICH. Will the Senator allow me to interrupt him for a second?

Mr. PATTERSON. Certainly.

Mr. ALDRICH. I infer from the Senator's remarks that he would not look with great favor upon the possibility of a third Administration of Mr. Cleveland. I trust in this supposition I do the Senator no injustice.

Mr. PATTERSON. I certainly would not look with great favor, or with any favor, upon another Administration of Mr. Cleveland. As the Senator from Texas [Mr. BAILEY] said, he is hardly any longer in existence, hardly to be accounted with. But I feel a good deal as the Senator from Massachusetts [Mr. HOAR] said he felt, in his memoirs, in treating of a celebrated public character, that the time will never come when it will not be just and right to hold him up to the American people as an example of what a man who is false to his party and false to his country may accomplish; and I want to say to the Senator from Rhode Island [Mr. ALDRICH] that if there is any man to whom he and his friends should feel under lasting obligations it is to ex-President Cleveland, for he carried out the policy they advocated, and that, in my opinion, no Republican President would have attempted, notwithstanding it was a Republican measure. He made certain the election of Mr. McKinley, and made possible the retention of the Republican party in power ever since. The Democratic party since 1893 has been paying for the sins of a so-called Democratic President by reason of his carrying into effect a distinctively Republican measure.

When I am told that silver was a menace to the country I point to what Mr. Watson says; I point to the history of the country, that from 1880 until 1892 it was enjoying a state of unexampled prosperity; and I conclude the necessity did not arise to interfere with it, except by the misconception of conditions by one high in authority, or by reason of carrying into effect some preselection understanding between himself and the great money power of the country.

Mr. President, the prosperity the country has been enjoying is a little peculiar, quite peculiar. It has been unexampled prosperity for the rich and somewhat circumscribed prosperity for the poor. To be sure we have had bountiful crops; nature has smiled upon the country and upon the husbandmen; but with what net results? That whereas before 1896 we had comparatively few multimillionaires, the country is now graced not only with multimillionaires, but with billionaires, with hundreds of multimillionaires who before the era of great speculation set in were possessed of but ordinary wealth.

With the advent of the Republican party we have had the era of trusts, and with the era of trusts we have had an era of tremendous strikes; we have had unexampled combinations of capital and unexampled combinations of labor. The one necessarily led to the other. It became a question of self-defense, and the labor of the country undertook as best it could to meet the

crushing and grinding power that was being organized under the new industrial plan known as the "trust system," beneath which it was inevitable that they would be ground to powder unless they presented a compact, solid organization to confront it.

Mr. President, many things that President Roosevelt has done I admire. I know of no braver act than any President has ever done than when he confronted the railroad presidents upon the one hand and the representatives of the working miners upon the other and said to the railroad combinations, "You must meet with these men and reach a settlement."

I admired Mr. Roosevelt when he instituted the suit against the railroad merger, and when he instituted one other suit, I believe, against the meat trust; but the performance, Mr. President, has fallen far short of the original promise. I call the attention of the Senate to the fact that, whatever the President has done in the way of attacking the trust evil, he has never even suggested to any of the legal representatives of the Government that the criminal clause of the trust law should be enforced.

The merger case was prosecuted, and prosecuted vigorously, and is now awaiting ultimate decision by the Supreme Court of the United States. But, Mr. President, there is the beginning and the ending of the efforts of this Administration to grapple with the trusts and to make them subject to the old law of honest competition and the welfare of the people.

I am inclined to think that the President of the United States, when he entered upon the performance of the duties of his office, made necessary by the greatest crime of the centuries, meant well to the people and meant well to the law. Early in his Administration he seemed to notify the great trusts that, so far as he was concerned, he would use all the powers of his office to subject them to the dignity and the power and the majesty of the law, driving out of existence that which the law denounced and which the common sense and the humanity of the country said was a menace to a free government's existence. But it looks, Mr. President, as though the President has ever since been doing penance for his rash act. With 300 trusts and over, either securing a complete monopoly of the industries in which they are engaged or approaching to monopolies as rapidly as it is possible for them to reach it, he has contented himself with two or three civil prosecutions, ignoring altogether the one single clause in the antitrust law that is a terror to the trusts, and that the Senator from Ohio [Mr. FORAKER] is now seeking to have repealed.

They deal with these things a little differently in some countries. Great Britain is not much of a trust country. They have large corporate interests there, and they have some great aggregations of capital engaged in the different industries; but, Mr. President, only a week ago last Tuesday, under instructions of an English judge in London, one of the great trust promoters was convicted and sentenced to seven years in an English prison—Mr. J. Whitaker Wright—for offenses on all fours with the offenses of Schwab, Max Pam, and Morgan in their efforts at monopolizing great branches of industry. He swindled the English people, the lords and the commons, and there was an English judge of sufficient virtue, and an English law of sufficient virility to take him by the throat and hold him at the bar of justice while a jury of twelve men were passing upon the merits of his case. With his conviction he "shuffled off this mortal coil;" he took poison and died within an hour. There would not be many tears shed, Mr. President, if some of the great lights of the financial world, who find a habitat in the United States and operate from the great commercial centers, should seek the same ending and find it from the same cause.

Mr. President, take the billion-dollar steel trust. Its victims are numbered by the thousands. The shipbuilding trust is as palpable a swindle as was ever put upon the country; and yet we find that its promoters and those who profited by it, who have had their bank accounts swelled with the stealings they took from thousands of the American people, yet live unassailed by the law, the only punishment they receive being the curses of their victims and the execrations of every honest and law-abiding man and woman.

What this country needs more than anything else is a President who is not dependent upon the great money power of the country for his election, and will not make promises, under cover or otherwise, for the purpose of receiving the support of the bankers, the great commercial speculators, and the promoters of trusts; a President who will feel that it is as much of a crime to rob the people of \$500,000,000 in the way of watered stock as it is to rob some poor man of his purse or to steal a horse from the barn of some farmer.

Mr. President, so far as I am concerned I am as pronounced a bimetalist as any man in the United States. I live in the greatest silver-producing State in the country. I realized that the free coinage of silver would not only bring prosperity to the farmers and the workingmen as well as the business men of the country,

but that it would bring additional prosperity to the people whom I in part represent. I realize, Mr. President, that the immensely increased production of gold has to a great degree filled the gap that was made when the coinage of silver was practically suspended. It is proof, to my mind, of the truth of the quantitative theory of money. I realize also that by one means or another the people of the country have been induced to pronounce against—I will not say bimetalism, but against the free coinage of silver at the old-time ratio. Even the people of Colorado realize that the proposition of 16 to 1 has for the time been decided against them, but it does not follow that by reason of that belief they will throw themselves unreservedly into the arms of either the bank syndicates or the creators of trusts or those who are spending their lives in organizing monopolies, in order that they may secure the money with which to conduct an aggressive campaign.

I am glad, Mr. President, with my views upon the money question, that there is yet a man in the West with power and virtue and influence enough to make himself felt, and to utter a protest against whatever tendency there may be now, or in the future, to surrender the party, of which I am honored in calling myself a member, to those who go from one side of the political teeter to the other as their interests—their own interests, not the interests of the country—may incline them.

Mr. President, I regard the Democratic convention of 1896 as a magnificent protest against the cruelty and encroachment of the money power. As a result of the Administration of Mr. Cleveland many of the Southern Senators commenced to doubt their ability to maintain their seats in this Chamber and the continued supremacy of the Democratic party in their States. I recollect exceedingly well, as the result of Mr. Cleveland's Republican Administration, Democratic ascendancy was almost lost in Alabama, in Arkansas, in Georgia, and in South Carolina.

In South Carolina, to maintain possession of that State, under the lead of TILLMAN and others the Democrats were compelled to organize the Democratic party along Populistic lines. The Democratic campaign of 1896 was a magnificent protest. Tell me it has not resulted in good! If Mr. Cleveland had been renominated in 1896, or if any Democrat representing the Cleveland theory of Democratic politics had been then nominated, instead of receiving more than 7,000,000 Democratic votes in the United States the Democratic candidate would not have received one-half of them, and a number of Southern States would have gone against the Democratic nominee. The Democratic party would pretty nearly have gone out of business if it had not been for the platform of 1896 and the magnificent leadership that that convention gave to the common people of the country.

No one recognizes more than I do that measures can not and may not always be kept at the front. No one realizes more than I do that the verdict of the American people, when it has been freely spoken and unquestionably given, should be respected; and whatever measure I have advocated—distinguishing measures from principles—whenever the people of the country have finally declared against a measure, I care not whether it is for the free coinage of silver at whatever ratio, or for any other measure, then the party is worse than insane that insures defeat by continuing to advocate the measure that is against the declared convictions of the country.

It is not wise, Mr. President, nor is it productive of results, for any party to destroy its usefulness in behalf of great measures constantly arising by standing for measures and insisting upon the enactment of laws when the people have clearly permanently taken an adverse position against them. Without reference to how other men may be guided, I will be guided in my future political course, so far as measures are concerned, by the recognition of that proposition in all of its fullness.

There is a wide difference between measures and principles. It is for that reason that the Democratic party, through evil report and good report, through disaster and through success, has after the sober second thought of the American people made itself felt, stands to-day undismayed as a national political organization, ready to meet its political antagonist with reasonably strong hopes of success; with a conviction that success will come if the party remains true to the principles upon which it was founded, that all men are created equal, that all governments derive their just powers from the consent of the governed; standing in business for the open door of opportunity to the young and the old, to the rich and the poor; standing opposed through good and evil report to the new system that prevents competition, the business principle upon which the world has grown and prospered, and from the existence of which this country became the greatest commercial power upon the face of the globe, and standing opposed to the trust principle, that places monopoly in the hands of the individual and compels the many to be the slaves of the few.

Within the past few months, Mr. President, I have heard men upon this side and upon the other deprecate the growth of social-

ism. The policy of the Republican party is the provocation of socialism. The multiplication of trusts, the increase of their power, the placing of the monopoly of all the great industries in the hands of the few is a sure step, if it shall succeed, to an effort upon the part of those who oppose private monopoly to put the monopoly in the hands of the Government. If the monopoly is held by individuals or combinations, it means that their private greed and individual interests will determine prices and production and distribution. If the Government shall control the implements of production, at least the people of the country will have a voice and an influence in the matter of the creation and distribution of the wealth labor creates.

So far as I am concerned, I feel with those who oppose socialism, that it is the greatest evil with which the country could be afflicted. I am pained at its growth and realize that its growth will continue until the provocation to the growth shall be eliminated from our industrial system. For that reason, if for no other, it is my supreme conviction that the strongest laws which the country can enact and all the great powers of the Government should be placed at the disposal of the executive arm for the purpose of throttling the trust system, putting it out of commission, that competition, either great or small, between the small industries or great industries may once more have full sway; that the young and the old, the weak and the strong, may realize that the field of commercial conquest is open to them, and that they shall not be compelled, during their short term of life, either to get within the magic circle of the few trust magnates, which it is almost impossible to do, or content themselves with being the mere hired hands of the great combinations of capital.

Mr. President, so far as the prosperity of the present day is concerned I think we may say it is on the ebb. Business has its ebb and its flow; it has its high tide and its low tide; and I am inclined to think that the prosperity of the country is now on the ebb. To what extent the tide may lower I do not know, but we do realize that there are plainly heard mutterings of discontent on the part of the employers in the West and in the East. In the mills of textile fabrics, the woolen mills, in coal mines, in the steel mills, and in those devoted to every other industry we find the announcements being made that wages must be lowered; and the process of lowering wages is going on.

I clipped from yesterday's Post an Associated Press dispatch of the meeting of the coal operators and miners at Indianapolis, and I found that the matter of difference was that the mine operators or owners were insisting upon a 12 per cent decrease in wages and the miners were insisting that the wages were little enough. This is a statement of the differences between them:

There was great excitement among the delegates when it was seen that the moment for a declaration of a disagreement had arrived. The scale committee had reported the present wage scale as their ultimatum, and the operators insisted that nothing less than the 1902 scale, which is equivalent to a 12 per cent reduction in wages, it is claimed, would satisfy them.

These are the grounds given by the operators for the lowering of the wages: That the wages have already been lowered in other mining localities, and therefore, if they would operate at a profit, they must also have lower wages. This same Associated Press dispatch states the claims of the two sides as follows:

They use the statement that the H. C. Frick Coal and Coke Company, operating in the Connellsville field, in Pennsylvania; the Jamison Coal and Coke Company, of Greensburg, Pa.; the Meyersdale district operators, and the Pocahontas Coal Company, in West Virginia, have all reduced wages in the last month, and they insist that they must have a lower mining rate with which to meet this competition.

The grounds upon which the miners take their stand is that the competition of the operators in the central competitive field and those outside is not as keen as the operators would have them believe. The miners say that, at least in Ohio and Pennsylvania, their men have not steady work, and that all over the central competitive field the cost of living is such at this time that they can not accept a cut in wages and maintain a fair standard of living.

So we find that as the net results of the year 1903, the year that is just behind us, business stagnation is commencing, the wages of the workmen are being cut, involving more than seventy-five or a hundred thousand in the mills of New England, and the cut is not confined to the cotton mills, for it extends to the woolen mills and to the paper mills. Wages are being cut, or there is a threat that they will be, by the steel trust. Notices are given by the railroads that their operating expenses must be reduced, including as their managers declare, a cut in wages; and here are 117,000 bituminous coal miners on the verge of a strike because of the insistence on a reduction of 12 per cent in their wages, while they assert the cost of living has not diminished in the least.

Yesterday's Post was rather instructive. There was another Associated Press dispatch which illustrates the extent to which the robbery of the trusts has gone, and that the thief has even entered the ranks of those who, if they do not abet them, at least apologize for them, and that they have been pretty heavily

muled in losses. I find by an Associated Press dispatch of Wednesday that in New York—

Governor Odell and other up-State Republican leaders, who were induced to invest large sums in the bonds of the United States Shipbuilding Company, have decided to begin a fight against Charles M. Schwab, Max Pam, and others connected with the concern.

It continues:

One of the shipbuilding victims was Reuben L. Fox, of the Republican State committee. Mr. Fox is one of Mr. Lauderbach's clients. He got caught for \$10,000 of the shipbuilding bonds. Governor Odell paid over \$180,000 in real cash for \$200,000 of the bonds.

Mr. President, while all this is going on the machinery of the criminal law is idle. Either there is no law to reach these mammoth swindles and the law is confined in its operations to the miniature get-rich-quick concerns, or else the power of money, the great money combinations, are able to paralyze not only the law, but the arms of those whose sworn duty it is to execute the law.

Taking it all in all I am inclined to think that the Senator from Ohio [Mr. FORAKER] should remodel his beautifully painted picture of yesterday. At least with his master hand he should limn in the picture the trusts when they receive the additional prosperity his bill is intended to give to them. I think it would be better for the cause of truth if he would paint prosperity in its truer light, showing that while the farmer is prosperous it is not because of the tariff schedules, but because of bright skies, bountiful showers, and propitious seasons, and the demands both at home and abroad, he being the agency through which this demand is supplied.

As to the prosperity that has fallen to others of the masses, there has been an increase in wages, but there has also been an increase in the cost of living. Few of the mere laborers and mechanics of the country have reached the point—even during the past few years—when ninety days' idleness would not make them a charge upon the community in which they live. The real beneficiaries of the so-called prosperity, Mr. President, are the millionaires and the multimillionaires, the speculators, those who are able to float—with the aid of the wind that is injected into them—these great industrial bubbles, and by speculating them upon the markets transfer the money of the masses into their own pockets.

I trust, Mr. President, the Democratic party will nominate a candidate for the Presidency, whoever he may be, who will not be tainted with a suspicion of an alliance with combinations of that character. I stand for the protection of the rich as well as the poor. Honest capital should be just as sacred, whether it be in large sums or in small sums, under a Democratic Administration as under a Republican Administration; but these abnormalities of capital consolidated for the purpose of dishonestly transferring the earnings of honest toil to their own bank accounts should be taught, both by laws upon the statute books and to be enacted, that a great thief is no more to be respected than a little thief, and any swindle, whether it is by floating a ship-building trust or a steel trust, will be visited by the arm of the criminal law as surely and as speedily as a swindle that consists in selling a brass ring for a gold one or a piece of cut glass for a diamond of the purest water.

The PRESIDENT pro tempore. The question is, Is the pending amendment in order? which question has been submitted to the Senate. Senators in favor of sustaining the point of order will say "aye." [Putting the question.] By the sound, the "noes" have it. The "noes" have it, and the point of order is overruled by the Senate. The question is on agreeing to the amendment.

Mr. BAILEY. Mr. President, I accept this vote, of course, as indicating that the Senate favors the amendment. It is understood by every Senator that the vote was decisive of that question, and I shall not delay the Senate any longer.

I do, however, desire to repeat what I have said before, that if this is a proper object for the use of governmental funds, they ought to be applied as they are applied in other instances of governmental work. It ought to be a direct appropriation and not a loan. The fact that the committee has made it a loan rather than a direct appropriation strongly suggests to my mind that the committee was not entirely satisfied that it was altogether a suitable project for the expenditure of the public money. If it is the duty of this Government to aid these expositions and to see that they are made successful, then the Government ought to give that aid, as it does in all of its other expenditures, by direct appropriation. I should very much prefer, if compelled to vote for either proposition, to vote for a direct application of the money as we do to other useful public works.

However, the debate indicates, of course, that the Senate is determined to extend the aid in this way, and I do, as I can only do, protest against it.

Mr. TELLER. Mr. President, I am in favor of assisting the St. Louis Exposition to get in condition to make a reasonable and proper showing, partly because it is an American exposition and

partly because we have so connected ourselves with it that it seems to me it would be somewhat discreditable to let it fail.

I agree thoroughly with the Senator from Texas that if this is—and I think it is—a proper occasion for an appropriation of public money, it ought to be not as a loan, but as a gift. While I am not averse to seeing the Government reimbursed—as it may be, I suppose, as a stockholder in this concern—I should infinitely prefer to see the \$4,600,000 made a donation than to have a precedent established that this Government has become a loaner of money. I am a member of the committee which reported this amendment. I expressed, very briefly, such an opinion in the committee. I do not now wish to be considered as interfering with or in any way delaying this appropriation, except to enter my protest against the method in which it will be made.

The PRESIDENT pro tempore. The question is on concurring in the amendment reported from the Committee of the Whole.

The amendment was concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. TELLER. Mr. President, I have listened to the political debate which has been going on. I am somewhat averse to the discussion of political affairs on an appropriation bill, and for that reason only did I refrain from replying to some of the erroneous statements made on the other side of the Chamber. I wish to say that I shall take the opportunity some day, when a bill less important than an appropriation bill is up, to show that the disturbed financial condition of the country under Mr. Cleveland's Administration did not arise from any tariff legislation by the party then in power, but that the trouble had commenced before he was elected, as can be shown by the revenues of the Government. But I will not attempt to do that this morning.

NATURALIZATION OF PORTO RICANS.

Mr. SPOONER. Some days ago I entered a motion to reconsider the vote by which the Senate passed the bill (S. 2345) to make applicable the provisions of the United States naturalization law to Porto Rico, and for other purposes. I have looked into the bill. I had no objections to it so far as it applied to Porto Rico, but I had some doubts about extending it elsewhere. I have looked carefully into it and had a conference with the Secretary of War about it, and I have no objection to it. I therefore ask leave to withdraw the motion which I then entered.

The PRESIDENT pro tempore. The Senator from Wisconsin withdraws his motion to reconsider the vote by which the bill was passed, and the bill stands passed.

BUILDING FOR DEPARTMENT OF STATE, ETC.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar under Rule VIII. The Secretary will state the first bill on the Calendar.

The bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor was announced as the first bill in order on the Calendar.

Mr. FAIRBANKS. Mr. President—

Mr. HALE. Let me suggest, although perhaps the Senator from Indiana was going to make the same suggestion, as he and I have conferred about it, that this is a bill which will lead to strong opposition and very considerable debate, which it can not have under Rule VIII, and if it goes over under Rule IX, as it will on an objection, some time we can agree when it shall come up and have the matter brought before the Senate, so that there can be full debate, consideration, and amendments matured for it.

Mr. FAIRBANKS. Mr. President, I realize fully that one objection carries the bill over. The Senator's suggestion is not quite so definite as I wish he were able to make it.

This, Mr. President, is a matter of very great importance. Our failure to provide suitable buildings for the proper accommodation of the business of the Government in Washington is an absolute shame. There is no great business organization in the country, there is scarcely a municipality or a State, that does not provide relatively more ample accommodations for the public business than we do for the transaction of the business of the Government in the national capital. Of course the question will lead to discussion, but unless we begin the debate we will never reach a conclusion. A bill similar to the one upon the Calendar was presented last session and went over upon the Senator's objection.

The committee is not wedded to any particular measure. If there is any better proposition than the one it has presented, it is quite willing to accept that. What it wants is to secure some additional accommodations for the three great Departments—State, Justice, and Commerce and Labor—and speedily. It is impossible to exaggerate the necessity of doing so. It is in the interest of the public service, and we should not delay unduly. Unless action is had at an early date, it is perfectly obvious to the

Senator that the bill must fail at the present session of Congress. I appeal to him to enable us to expedite this matter as much as possible. We want the Senator and those who may share in his view to be heard to the fullest extent possible, but we do wish they would permit us to take up the bill at some early date.

Mr. HALE. Mr. President, I am not going into the reasons why this great project will be thoroughly resisted in every way, because it is now in the way of doing the business of considering unobjected cases, in which many members of the Senate have an interest. The rule provides that a single objection carries it to the Calendar under Rule IX. That Calendar, like any other business, is subject to the action of the Senate in being taken up and considered.

All I want is that this measure shall take the course that everything else has under Rule IX. I can not agree to any time when it shall be taken up, because I am not in favor of expediting it, but I am in favor now of getting it out of the way, so that we may go on and consider, under the suggestion made the other day by the Senator from New Hampshire [Mr. GALLINGER], the unobjected cases, and thereby relieve Senators from the necessity of continually getting up and asking unanimous consent. So my objection simply carries it to the Calendar under Rule IX, and it must take its course there.

Mr. FAIRBANKS. I am quite aware of the effect of the objection of the Senator, as I said before.

Mr. HALE. I can not agree now on any time, and, in fact, that would be improper in regard to a measure of this kind when so many other great public matters are before the Senate.

Mr. FAIRBANKS. I simply desire to make an appeal to the Senator to see if he will not consult his convenience a little later and enable us to agree on some time for taking it up.

Mr. HALE. I think quite likely that that may be done, but I do not wish to bind myself in a promise. Let the bill go to the Calendar under Rule IX, and then let us proceed with the Calendar.

The PRESIDENT pro tempore. The bill goes to the Calendar under Rule IX.

FISH HATCHERY IN OREGON.

The bill (S. 1607) granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, on page 2, line 1, before the word "years," to strike out "two" and insert "five;" so as to make the bill read:

Be it enacted, etc., That the following-described premises, to wit: The southeast quarter of section 19, the northwest quarter of the southwest quarter of section 20, and the northwest quarter of the northeast quarter of section 30, all in township 2 north, of range 41 east, of the Willamette meridian, in the State of Oregon, be, and the same are hereby, granted to the State of Oregon, for the use of said State in maintaining and operating thereon a fish hatchery: Provided, That in case said State of Oregon shall at any time for a period of five years fail to maintain and operate a fish hatchery on said premises, or on some part thereof, then the grant hereinbefore made of said premises to said State shall terminate, and said premises, and the whole thereof, shall revert to the United States: Provided further, That the Secretary of the Interior is hereby authorized and empowered to ascertain and determine whether or not such hatchery is being maintained and operated on said premises, and if he shall at any time determine that, for a period of two years subsequent to the passage of this act, the State of Oregon has failed to maintain and operate a fish hatchery on said premises, he shall make and enter an order of record in his Department to that effect, and directing the restoration of said premises, and the whole thereof, to the public domain, and such order shall be final and conclusive, and thereupon and thereby said premises shall be restored to the public domain and freed from the operation of the grant aforesaid.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF DARIUS B. RANDALL.

The bill (S. 1537) to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Percé Indians was considered as in Committee of the Whole. It proposes to pay \$2,400 to the heirs of Darius B. Randall, deceased, for certain improvements situated on the Nez Percé Indian Reservation relinquished by said deceased to the United States for the use of the Nez Percé tribe of Indians.

Mr. COCKRELL. Let the report of the committee be read. It is a very short one.

The PRESIDENT pro tempore. The report will be read.

The Secretary proceeded to read the report submitted by Mr. DUBOIS, from the Committee on Indian Affairs, January 7, 1904, which report is as follows:

The Committee on Indian Affairs, to whom was referred the bill (S. 1537) to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Percé Indians, having considered the same, beg to report as follows:

The amount to be paid to the heirs of Mr. Randall was recommended to be

paid by the Commissioner of Indian Affairs many years ago, but for various reasons the money was not appropriated. A full statement of the case is contained in a communication transmitted to the committee by the Secretary of the Interior.

Your committee concur in the recommendation made by the Secretary of the Interior and recommend the passage of the bill.

The communications from the Secretary of the Interior and the Commissioner of Indian Affairs are as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 26, 1902.

SIR: I have the honor to acknowledge the receipt, by your reference of the 5th instant, of S. 3622, "A bill to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Percé Indians."

In response thereto I transmit herewith a copy of a report of the 21st instant from the Commissioner of Indian Affairs and its inclosure.

The Commissioner's report shows that this claim was favorably considered by his Office in 1879 and that he now recommends the passage of the bill.

The recommendation of the Commissioner meets with my approval.

Very respectfully,

E. A. HITCHCOCK, Secretary.

The CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
United States Senate.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 21, 1902.

SIR: This office is in receipt, by Department reference, for report, of S. 3622, a bill to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Percé Indians, referred to the Department with request for a report thereon by Hon. WILLIAM M. STEWART, chairman of the Senate Committee on Indian Affairs.

The bill appropriates \$3,161, out of any money in the Treasury not otherwise appropriated, to pay to the heirs of Darius B. Randall, deceased, for certain improvements situated on the Nez Percé Indian Reservation, relinquished by said deceased to the United States for the use of the Nez Percé tribe of Indians.

Under date of January 8, 1879, this office made report upon a communication from Senator ALLISON, chairman of the Senate Committee on Indian Affairs, inclosing a copy of Senate bill 681, to provide for the payment of Loyal C. Brown, administrator of the estate of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Percé Indians, in which the Commissioner said:

"I am convinced that justice and good faith require the payment of compensation in the premises, and the only remaining question relates to the sum which should be allowed therefor. In the absence of a formal appraisal of the improvements of Mr. Randall, I am of the opinion that the sum of \$1,500, as finally fixed by Messrs. Shanks and Monteith, should be adopted as the correct valuation."

He therefore recommended the passage of the bill when amended by striking out the sum of \$3,161 and inserting in lieu thereof \$1,500, with interest thereon at 6 per cent per annum from August 4, 1873, until paid.

It is not found that the Senate committee made any report on this bill, but on January 31, 1879, a report was made on a similar bill in the House of Representatives (H. R. Report No. 87, Forty-fifth Congress, third session), which recommended the passage of the bill with an amendment reducing the amount to \$1,575, that sum to be deducted from the last of twenty installments to be paid the Nez Percé under the fifth article of the treaty of 1855. (12 Stats., 957.)

The twenty installments under said treaty have long since been paid. As the amount fixed in the present bill is less than the amount recommended in office report of January 8, 1879, with the interest therein recommended to be paid, this office recommends the passage of the bill.

A copy of said office report of January 8, 1879, is inclosed herewith.

Very respectfully, your obedient servant,

A. C. TONNER, Acting Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, January 8, 1879.

SIR: I have the honor to submit herewith, for your consideration, a copy of a communication, dated the 3d instant, addressed to this office by Hon. W. B. ALLISON, chairman of the Senate Committee on Indian Affairs, inclosing a copy of Senate bill No. 681, "to provide for the payment of Loyal C. Brown, administrator of the estate of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Percé Indians," together with a copy of a written assignment of said improvements, dated August 4, 1873, given by Randall to Agent Monteith; also said agent's receipt therefor bearing the same date, and a letter from this office, dated February 18, 1875, to Hon. J. W. Nesmith.

Sensor ALLISON requests the opinion of the Department upon the propriety of the passage of said bill, involving the inquiry whether any, and if any, what compensation should be allowed for said improvements.

I have the honor to report thereon as follows:

The eighth article of the treaty of June 9, 1863, with the Nez Percé Indians (14 Stat., 651) provides, among other things, for the establishment of necessary roads and highways upon the reservation belonging to said Indians and of hotels or stage stands at suitable and necessary points along said roads, the establishment and control of the latter to rest with the agent or superintendent, under rules and regulations to be prescribed by the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior.

No such rules and regulations seem to have been prescribed until 1874, on the 21st of January, of which year those now in force were approved by the Secretary.

Under the foregoing treaty provisions and in pursuance of permission from Indian agents, Mr. Randall went upon said reservation, established a hotel and stage stand, known as the "Twelve-Mile House," on the Florence road, and made valuable improvements in connection therewith.

In 1873 Hons. J. P. C. Shanks, T. W. Bennett, and H. W. Reed were appointed a special commission to examine into the condition and wants of the Nez Percé Indians, and in their report, dated July 1 of that year, recommended, among other things, the removal of white settlers from their reservation.

Subsequently Messrs. Shanks, Bennett, and Agent Monteith called upon Randall and requested him to vacate his premises, assuring him that he should be compensated for his improvements. Acting upon this assurance he promptly delivered possession thereof to said agent on the 4th of August, 1873, giving the written assignment and taking the receipt hereinbefore stated.

It seems to have been agreed at such interview and when the improvements of Mr. Randall were turned over to said agent that the value thereof

was \$2,400 and that this sum should be the measure of the compensation allowed therefor. Agent Monteith reports, however, under date of November 23, 1874, that after said interview and delivery of possession he and Mr. Shanks, believing that their former estimate was too high, reduced it to \$1,500, which sum it was agreed that the latter should report for payment. I am unable to find, however, any report from Mr. Shanks in relation thereto upon the files of this office.

In a report to this office from Agent Monteith, dated August 6, 1873, he inclosed a statement of Randall's improvements, in which their value was given at \$1,575, but whether this sum was the agent's own estimate does not clearly appear.

On the 26th of January, 1875, this office made a report to the Department recommending the allowance of compensation for said improvements and submitting a draft in duplicate of a bill for that purpose, embracing also provision for another similar claim. Such duplicate drafts were submitted January 27, 1875, by the honorable Secretary to the President of the Senate and Speaker of the House of Representatives, but this office is not advised of any action having been taken by Congress thereupon.

Inspector Watkins, in a report upon the condition and administration of the Indian service upon said reservation, dated August 2, 1877, expresses his conviction that said claim ought to be paid, and recommended that an appropriation be asked therefor.

I am convinced that justice and good faith require the payment of compensation in the premises, and the only remaining question relates to the sum which should be allowed therefor. In the absence of a formal appraisal of the improvements of Mr. Randall, I am of the opinion that the sum of \$1,500, as finally fixed by Messrs. Shanks and Monteith, should be adopted as the correct valuation.

I have, therefore, the honor to recommend the passage of said bill when amended as follows:

In line 3 strike out "\$3,161" and insert in lieu thereof "\$1,500, with interest thereon at 6 per cent per annum from August 4, 1873, until paid."

Very respectfully, your obedient servant,

E. A. HAYT, Commissioner.

The SECRETARY OF THE INTERIOR.

Mr. COCKRELL. I do not ask for the reading of the letters. They merely show that the Secretary of the Interior and the Commissioner of Indian Affairs are in favor of the bill.

Mr. PLATT of Connecticut. I think the Senate has passed a similar bill two or three times already.

Mr. COCKRELL. I think so; if not, it ought to have done so. The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IMMIGRANT STATION BUILDINGS AT SAN FRANCISCO.

The bill (S. 1278) to provide for the erection of buildings for an immigrant station at the port of San Francisco, Cal., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to cause to be constructed on lands now belonging to the United States at the port of San Francisco, Cal., the buildings necessary for an immigrant station, at a cost not exceeding \$200,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DETENTION OF SEAMEN'S CLOTHING.

The bill (S. 3118) to amend the act approved February 18, 1895, entitled "An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890, and for other purposes," was considered as in Committee of the Whole. It proposes to amend so much of the act approved February 18, 1895, as reads "shall be liable to a penalty of not exceeding \$100," so as to read "shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than six months or fined not more than \$500, or both."

Mr. PLATT of Connecticut. Is the report in that case long?

Mr. COCKRELL. No; it is a short report.

Mr. PLATT of Connecticut. I should like to hear it read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the following report, submitted by Mr. ALGER, from the Committee on Commerce, January 7, 1904:

The Committee on Commerce, to whom the subject-matter was referred, report the bill (S. 3118) to amend the act approved February 18, 1895, entitled "An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890, and for other purposes."

This bill is reported as a substitute for S. 2338, which was referred to this committee and by it referred to the Secretary of Commerce and Labor for his views. This substitute was suggested by that official, as will appear by his letter annexed hereto, which letter, together with others, also annexed, will sufficiently explain the necessity for the proposed legislation.

The committee recommend that the bill pass.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, December 18, 1903.

SIR: The Department has received your letter of the 12th instant, inclosing S. 2338, entitled "A bill to amend the act approved February 18, 1895, entitled 'An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890, and for other purposes,'" with the request to furnish your committee with such suggestions as I may deem proper touching the merits of the bill and the propriety of its passage.

The purpose of the bill is to provide a more effective remedy against the illegal detention of seamen's clothing. The action under existing law is for a penalty, not a criminal action, and a warrant can not issue. The Department favors the purpose of the bill.

The bill referred, however, reenacts entire the act of February 18, 1895, in order to make the amendment mentioned. The application of that act, however, in various particulars, has been modified by later legislation, particularly by the seamen's act of December 21, 1898.

To reenact the act of February 18, 1895, entire, without regard to subsequent legislation, might raise questions foreign to the purpose of Senate bill 2338. The Department submits, accordingly, a substitute for Senate bill 2338,

covering only the specific purpose proposed and involving no other matters, and recommends its passage.

Respectfully,

HON. WILLIAM P. FRYE,
Chairman Committee on Commerce, United States Senate.

GEO. B. CORTELYOU,
Secretary.

DEPARTMENT OF JUSTICE,
Washington, D. C., November 23, 1903.

SIR: I beg to inclose herewith, for the information of your committee, a copy of a letter dated the 17th instant, from the United States attorney for the eastern district of New York, suggesting an amendment of the law so as to make the detention of seamen's clothing a misdemeanor, together with a copy of an act which he has drafted for that purpose.

Respectfully,

HON. GEORGE F. HOAR,
Chairman Committee on the Judiciary, United States Senate.

W. A. DAY,
Acting Attorney-General.

BROOKLYN, N. Y., November 17, 1903.

SIR: I am continually having trouble with the boarding-house keepers who detain seamen's clothing.

Chapter 97 of the laws of February 13, 1895, provided, among other things, "That the clothing of any seamen shall be exempt from attachment and that any person who shall detain such clothing when demanded by the owner shall be liable to a penalty of not exceeding \$100."

It has been the custom of this office for years to have such boarding-house keeper arrested, when he or she detained such seaman's clothing; and acting under instructions from your Department, I procured some time ago a complaint to be made against a boarding-house keeper, and took it before Mr. Commissioner Benedict and applied for a warrant. He came to the conclusion, after examining the law, that a warrant could not issue, as the law provided for an action for a penalty and not for a crime. I then took the matter to Judge Thomas, and after reading the law over, he, too, decided that it was an action for a penalty and not a criminal action.

This morning four sailors came in whose clothing has been detained, and I have issued a summons against the boarding-house keeper. The result of this probably will be that when the time comes to try the action these sailors will be off on the sea, and the action will lie here for years without being tried, simply because we will not be able to get the witnesses to try it.

I think that this statute should be amended to provide that any person detaining a seaman's clothing shall be deemed guilty of a misdemeanor; and I am taking the liberty of inclosing you a copy of a bill to that effect.

I am, sir, yours, with great respect,

WM. J. YOUNG, United States Attorney.

The ATTORNEY-GENERAL,
Washington, D. C.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIFE-SAVING STATION AT TILLAMOOK BAY, OREGON.

The bill (S. 2698) to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon, was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to establish a life-saving station at or near the entrance to Tillamook Bay, on the coast of Oregon, at such point as the General Superintendent of the Life-Saving Service may recommend.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEPUTY COLLECTORS OF CUSTOMS AT TACOMA AND SEATTLE.

The bill (S. 2815) authorizing the Secretary of the Treasury to fix the salaries of the deputy collectors of customs at the subports of Tacoma and Seattle, in the State of Washington, and repealing all laws inconsistent therewith, was considered as in Committee of the Whole. It provides that the annual salaries to be paid to the deputy collectors of customs of each of the United States subports, Tacoma and Seattle, in the State of Washington, shall be determined and fixed by the Secretary of the Treasury, who may raise and lower the same at his discretion as the business of the ports shall warrant; such salaries, however, not to exceed the sum of \$2,500 each per annum.

Mr. COCKRELL. Let the report be read in that case.

Mr. SPOONER. I should like to ask the Senator from Washington [Mr. FOSTER] if a similar bill did not pass the Senate at the last session of the last Congress?

Mr. FOSTER of Washington. Yes; it passed the Senate at a former session, but it did not pass the House.

Mr. SPOONER. Is it the same bill?

Mr. FOSTER of Washington. It is the same bill.

Mr. SPOONER. There is no change in it?

Mr. FOSTER of Washington. None.

Mr. COCKRELL. Let the report be read; it will take only a minute; it is short.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the following report, submitted by Mr. FOSTER of Washington, from the Committee on Commerce, January 7, 1904:

The Committee on Commerce, to whom was referred the bill (S. 2815) authorizing the Secretary of the Treasury to fix the salaries of the deputy collectors of customs at the subports of Tacoma and Seattle, in the State of Washington, and repealing all laws inconsistent therewith, having considered the same, report thereon with a recommendation that it pass without amendment.

The bill has the approval of the Treasury Department, as will appear by the following letter:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, December 21, 1903.

SIR: Replying to a letter from the clerk of the Committee on Commerce, dated the 19th instant, inclosing copy of S. 2815, authorizing the Secretary of

the Treasury to fix the salaries of the deputy collectors of customs at the subports of Tacoma and Seattle, in the State of Washington, I have the honor to advise you that the passage of said bill will meet with my approval.

Respectfully,

L. M. SHAW, Secretary.

The CHAIRMAN COMMITTEE ON COMMERCE,
United States Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 9319) providing for the construction of a bridge across the Red River of the North at Fargo, N. Dak.; and

A bill (H. R. 3578) to authorize the Mercantile Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of North Charleroi, Washington County, to a point in Rostraver Township, Westmoreland County.

The bill (H. R. 1909) to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land, was read twice by its title, and referred to the Committee on Military Affairs.

A bill (H. R. 5511) to authorize registers and receivers of United States land offices to furnish transcripts of their records to individuals was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905, was read twice by its title, and referred to the Committee on Appropriations.

REPORT ON AGRICULTURAL EXPERIMENT STATIONS.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

I transmit herewith the annual report of the Office of Experiment Stations, prepared under the direction of the Secretary of Agriculture, which includes a report on the work and expenditures of the agricultural experiment stations in the United States for the fiscal year ended June 30, 1903, in accordance with the act making appropriations for the Department of Agriculture for the said fiscal year.

The attention of the Congress is called to the request of the Secretary of Agriculture that 5,000 copies of the report be printed for the use of the Department of Agriculture, and that provision be made to print such a report annually.

THEODORE ROOSEVELT.

WHITE HOUSE, February 5, 1904.

The PRESIDENT pro tempore. The Chair is in a little doubt as to the reference of the message to the Committee on Agriculture and Forestry. It transmits the request of the Secretary of Agriculture that 5,000 copies shall be printed for the Agricultural Department in addition to the usual number to be printed.

Mr. COCKRELL. I move that the message of the President and the accompanying papers be printed as a Senate document, and that the matter be referred to the Committee on Printing to determine about the extra copies. It is just the same as if it was an annual report of the Secretary of Agriculture that is sent here. It would be ordered printed and the usual number of copies would be printed, and then extra copies could be ordered afterwards.

The PRESIDENT pro tempore. The Senator from Missouri moves that the message and the accompanying papers be printed as a Senate document, and then referred to the Committee on Printing.

Mr. COCKRELL. Then refer it with the request for extra copies to the Committee on Printing.

Mr. TELLER. I have diligently listened, but I am unable to know what is going on. I should like to know what the message is and what the documents are. We can not hear back here.

The PRESIDENT pro tempore. The President has sent to the Senate the report of all the experiment stations in the United States.

Mr. SPOONER. Agricultural experiment stations?

The PRESIDENT pro tempore. Agricultural experiment stations.

Mr. COCKRELL. The annual report.

Mr. SPOONER. Ought not the message and report to go to the Committee on Agriculture and Forestry?

The PRESIDENT pro tempore. The Senator from Missouri moves that the whole matter be printed as a Senate document and referred to the Committee on Printing.

Mr. COCKRELL. That is the usual custom.

The PRESIDENT pro tempore. The Senator from Missouri moves a reference to the Committee on Printing, because the

President at the same time states that the Secretary of Agriculture desires to have 5,000 copies printed for the use of the Agricultural Department.

Mr. COCKRELL. That will go to the Committee on Printing.

Mr. CULLOM. That part of it.

Mr. COCKRELL. The request for 5,000 copies.

Mr. TELLER. Will not the message go to the Committee on Agriculture and Forestry?

Mr. COCKRELL. It is just the same as if the Secretary of Agriculture had sent in his annual report. This is the annual report of the Office of Experiment Stations. We simply receive it, and an order is made to print it, and under that order the usual number of copies, 1,700, are printed.

Mr. SPOONER. That leaves it in a condition ready to have extra copies printed.

Mr. COCKRELL. After that we pass a resolution providing how many copies shall be printed for distribution. This is just the same case. The Secretary of Agriculture asks that 5,000 copies be printed for his use. The Senate has no authority by a separate resolution to order 5,000 copies, as it will cost over \$500 to print it, and we refer that part of the message to the Committee on Printing to consider the propriety of printing that number.

Mr. TELLER. It seems to me that it ought to go to the Committee on Agriculture and Forestry and not to the Committee on Printing. The message, so far as that suggestion is concerned, ought to go to the committee that will have the Agricultural appropriation bill before it. I do not mean that all the bundle of papers on the desk of the presiding officer shall go there. I think the motion of the Senator from Missouri as to those is all right, but it seems to me that the message itself should go to the Committee on Agriculture and Forestry, that they may, when they bring in the agricultural appropriation bill, provide for it. That is the proper place to provide for it, it appears to me.

Mr. COCKRELL. No, the printing is always done separately. It is rare that on a regular appropriation bill any provision is ever made for printing a document. They are brought before the Senate on the report of the Committee on Printing, and the Senate orders the publication. There is a general fund for the payment of the printing. I think we would be more apt to get extra copies by letting it go to the Committee on Printing, as is usual in all such cases.

Mr. TELLER. I understand that the message goes to both Houses. Does it not?

Mr. COCKRELL. Not necessarily so. This message would not go to both Houses.

Mr. TELLER. Not necessarily, but I should say that might be the case.

Mr. COCKRELL. I should think not. The annual report is sometimes sent to the Senate and sometimes to the House. Only one body orders it printed as a document, under the general rule.

Mr. TELLER. What I am anxious about is that the Secretary of Agriculture shall have this printing done, if he wants it done. That is about all I care in regard to the matter.

Mr. COCKRELL. I think to let it go to the Committee on Printing would be a safer way to get it.

Mr. TILLMAN. It seems to me that if this report, which on its face would purport to be the results achieved in a scientific way by the experiments made at the various experiment stations which are conducted under Government patronage, involves or embraces anything that is valuable, and I have no doubt it is valuable or it would not come here, and the reports of experiment stations are always valuable to farmers, it ought to be printed in some kind of a permanent shape. To have it printed as an ordinary document, as a pamphlet, means its speedy destruction, and is practically a waste of public money.

If we have not any general law which provides for the publication of this report, like we have for the Yearbook of the Department of Agriculture, it does look to me as though it is time there should be some provision of law under which such material as this shall be printed. It is the result of the scientific corps who are employed all over the United States at the various State experiment stations and who have been engaged in obtaining this information. It seems to me that this data, these facts, these experiments, should be put in a permanent shape, and that there should be a provision of law which would enable it to be done without this kind of a proceeding every year.

I suggest, as a farmer knowing something of the value of those experiments, that this message, with the accompanying papers, be referred to the Committee on Agriculture and Forestry, to determine what shall be done with it in the way of publication and what the form of that publication shall be. We all know the immense demand for the Yearbook of the Agricultural Department. I could very readily dispose of, and our farmers would be glad to get, 20,000 copies. My quota is some six or seven hundred copies, I think—

Mr. COCKRELL. Eleven hundred.

Mr. TILLMAN. And the entire State gets only some three or four thousand all told.

Now, this is equally as valuable and in some respects it is a more valuable document than the Yearbook, and I make a motion that these papers be sent to the Committee on Agriculture and Forestry.

Mr. COCKRELL. I hope the Senator will not prevent the publication of this document in the usual way, and just precisely as the Agricultural Report is printed. This is taking the exact course every public document that is printed for distribution takes.

Mr. TILLMAN. Is the Yearbook printed in this way?

Mr. COCKRELL. The Yearbook takes just the same course. We have 1,700 copies of the Yearbook printed.

Mr. TILLMAN. And then we have some 300,000 copies printed?

Mr. COCKRELL. We then pass a separate resolution authorizing the printing of a certain number of extra copies, so many for the Senate and so many for the House.

Mr. GALLINGER. That is right.

Mr. TILLMAN. What I am after is enough copies. The trouble is to get enough of these reports printed. The Department of Agriculture asks for 5,000. Will Senators have none?

Mr. SPOONER. That question is not involved in the motion to print as a Senate document.

Mr. COCKRELL. What I moved was the usual, ordinary, orderly way of printing a public document. We order it printed. Seventeen hundred copies of all of them—of our bills and our reports and everything of the kind—are printed, and they are distributed to different places.

Mr. CULLOM. Under the law.

Mr. TILLMAN. But they are in pamphlet form. They are not bound in cloth.

Mr. SPOONER. That is a separate proposition.

Mr. COCKRELL. I have stated that they are distributed all around to the different offices. Some go to the heads of Departments; they go to the committees and all that in an unbound form. They are not bound.

Mr. CULLOM. They have paper backs.

Mr. TILLMAN. Simply in pamphlet form.

Mr. COCKRELL. Yes; in pamphlet form. When that has been done Congress authorizes the publication of additional volumes, to be bound or not to be bound, just as the resolution authorizing them may direct.

Mr. TILLMAN. Who will determine how many copies shall be printed—the Committee on Agriculture?

Mr. COCKRELL. The Committee on Printing; that is the committee which reports back here on the question.

Mr. BATE. And after the report is made the Senate may amend it and order as many copies as it chooses.

Mr. COCKRELL. When the report comes here the Senate can double, or quadruple, or quintuple the number. What I propose is simply what has been done ten thousand times here by the Senate in an orderly way.

Mr. TILLMAN. I do not want to make my friend's hair stand up any straighter, and I shall have to subside.

Mr. BATE. It seems to me that the whole object can be accomplished by sending the message to the Committee on Agriculture and Forestry. They would report back here and ask the Senate to authorize the printing. All that can be done by sending it to the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. What is the exact proposition of the Senator from Missouri?

Mr. COCKRELL. To print the usual number in the usual way, and then a resolution to print 5,000 copies for the Secretary of Agriculture to go to the Committee on Printing, and when the Committee on Printing reports a resolution to print 5,000 copies for the Secretary of Agriculture, if the committee does not amend it so as to provide for printing some additional copies, I shall move that additional copies shall be printed both for the Senate and House.

The PRESIDENT pro tempore. Shall the papers, after they have been printed as a Senate document, go to the Committee on Printing?

Mr. COCKRELL. Only on the request of the Secretary of Agriculture. They go to the Public Printer and are printed just like any other documents that are sent there.

The PRESIDENT pro tempore. Then the message of the President will go, of course, to the Committee on Printing.

Mr. COCKRELL. The message will go to the Committee on Printing, because the President makes a request for the printing of 5,000 extra copies, and we can not order that printing without the report of the committee.

The PRESIDENT pro tempore. If there be no objection, the order made is that the message of the President shall be referred to the Committee on Printing, and that the message and the papers accompanying the message shall be printed as a Senate document.

Mr. COCKRELL. That is right.

The PRESIDENT pro tempore. And that the maps and the illustrations shall also be printed?

Mr. COCKRELL. Oh, yes; they all go together.

The PRESIDENT pro tempore. That order is made.

The resolution referred to the Committee on Printing was reduced to writing, as follows:

Resolved, That 5,000 extra copies of the Annual Report of the Office of Experiment Stations, prepared under the direction of the Secretary of Agriculture, be printed for the use of the Department of Agriculture.

LINUS S. LUDINGTON.

Mr. BURNHAM. I ask unanimous consent to call up the bill (S. 3738) granting an increase of pension to Linus S. Ludington.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Artillery," to insert "Heavy;" in line 8, after the word "Veteran," to strike out "Volunteer," and in line 10, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Linus S. Ludington, late of Company G, First Regiment Connecticut Volunteer Heavy Artillery, and One hundred and nineteenth Company, Second Battalion Veteran Reserve Corps, and pay him a pension at the rate \$20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELATIONS WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. Senate resolution 82, by Mr. BACON, favoring the negotiation by the President of a treaty with the Republic of Colombia to satisfactorily adjust and determine all differences between the United States and Colombia growing out of the recent revolution in Panama, etc.

Mr. MALLORY. The several serious questions, Mr. President, which have arisen out of our recent negotiations with Colombia and the more recent insurrection on the Isthmus of Panama have been discussed in the press of the country, in the other body of Congress, and in this body very effectually, and much to the enlightenment of the public. I scarcely think that anything I can say will change the opinion of anyone who has given close attention to the debate and has informed himself of the facts connected with the subject.

But I conceive it to be my duty, inasmuch as in my capacity as a member of this body I will be called upon to ultimately act on this subject, to give a brief narrative of the facts, to state my conclusion on those facts, and present the decision which I have reached thereon as to the action which I shall take regarding it.

Mr. President, when this Senate adjourned last March the most important of its acts accomplished was the ratification on the 17th of that month of the convention commonly known as the "Hay-Herran treaty," whereby for divers considerations the Republic of Colombia granted to the United States the right to construct, operate, and control a ship canal across Colombian territory in the Department of Panama, to connect the waters of the Atlantic and Pacific oceans.

Enough has been said on this floor of the monumental and epoch-making character of the undertaking to which this Government was committed by that treaty to render unnecessary further reference to those considerations. It suffices to say that its ratification was accepted by the great majority of the people of this country as the beginning of the realization of a deeply cherished national hope that had been long deferred, and as the first practical step toward a consummation that would unfetter the trade and commerce of the world, open an indispensable avenue of communication between our Atlantic and Pacific coasts, and give us a strategic advantage of inestimable value should we unhappily ever become involved in war with one or more of the world's great powers.

It was generally understood in this country at that time, and correctly so, I believe, that the negotiations which led up to the formulation of that convention were sought for and initiated by Colombia, that her propositions with slight modifications were accepted by our Department of State, and that in ratifying it without amendment this Senate assented to concessions to Colombia in some particulars that strained to the limit the bounds of prudence and a just appreciation of the interests of the United States.

I think I can, without impropriety, express the belief, Mr. President, that the conviction that Colombia in initiating negotiations and making her proposals was sincerely desirous of

speedily effecting a treaty which would be just and honorable to both nations, and that our unqualified acceptance of terms far less favorable to the United States than we could wish would secure its prompt ratification by the Colombian Congress, had a most potent influence in shaping opinion in this country and in securing almost unanimously favorable action by this body on that series of exceptionally important propositions.

The treaty so ratified was duly submitted to the Colombian Congress, which assembled at Bogota on June 20, 1903, and President Marroquin, by whose solicitation our Department of State was induced to listen to Colombia's overtures, delivered a message in which he perfunctorily expressed the opinion that it was the interest of Colombia that a canal should be constructed by the United States through her territory, but congratulated himself that the immense responsibility of coming to a decision in this particular case fell not on him, but on the Colombian Congress.

In brief, after having been the prime factor in persuading the United States to commit herself to a preference for the Panama route and to terms that we were led by him to believe were acceptable to Colombia, the Chief Executive of that State coolly remitted the whole matter to a Congress that was utterly ignorant of or indifferent to the transcendent importance of the subject. If he made any serious effort to induce that Congress to treat the matter in a manner and spirit worthy a question of such dignity and of such importance to the world in general and to the United States in particular, he failed most signally to make any record of it, and we are justified in believing that he was unwilling to do so.

Yet, Mr. President, despite this remarkable conduct on the part of her Executive, it was not unreasonable to expect that, through the legislative branch of her Government, Colombia would manifest a more courteous if not a more amicable disposition toward the United States. The facts that I have recited must have been known to the members of that Congress; they could not have been ignorant of the deep concern with which the people of this country would view any essential modification of the provisions of the treaty, nor of the very natural resentment that would be aroused in the United States should it appear that in her previous negotiations with us Colombia's action had been insincere and inspired by a purpose to deceive.

To say, Mr. President, that the treaty was deliberated, on or that it received any serious consideration while awaiting action by the Colombian Congress would be a misuse of terms.

It was made to serve from time to time as a pretext for more or less lurid oratorical outbursts, by which the political enemies and supporters of Marroquin exploited their opinions of that patriot, but that it was discussed with any intention of evolving a practical conclusion, of contributing to the realization of the great beneficent international undertaking for which the treaty was framed, is incontestably disproved by authentic evidence in our possession.

With an utter disregard of the gravity of their action—and I use the expression advisedly, Mr. President—the Colombian Senate unanimously rejected the treaty in its entirety on the 12th of last August. Subsequently a committee of three senators was appointed to devise and formulate a project or scheme for a treaty which would be acceptable to Colombia, and on August 29 that committee reported the result of its labors.

The most significant features of that project were the requirement that the New Panama Canal Company, which by article 1 of the Hay-Herran treaty was authorized to sell and transfer its rights, privileges, properties, concessions, etc., to the United States without paying the Colombian Government anything for that permission, should pay therefor on making the transfer 50,000,000 francs, and, secondly, that the government building the canal should pay to Colombia upon exchange of ratifications of the treaty \$20,000,000 in American gold, which was a raise of ten million on what Colombia's plenipotentiary had stipulated for in article 25 of the treaty.

The treaty provided that beginning nine years after its ratification the United States would pay to Colombia, in addition to the \$10,000,000, \$250,000 annually during the life of the treaty. The committee's scheme provided for an annual payment of \$150,000 in gold up to 1967, inclusive, and \$400,000 thereafter, with the privilege of renewing the concessions every one hundred years on increasing the annual payment 25 per cent.

It also provided for mixed tribunals for the canal zone, and made pretty much the same provisions for the preservation of peace and order and for neutrality and sovereignty as were contained in the treaty, but the duty of looking after public sanitation was reserved to Colombia. So far as the constitutional question on which was based Colombia's alleged unwillingness to surrender any sovereign right on the Isthmus was concerned, there seems to be but little difference between the provisions of the treaty and the propositions of that committee.

It would appear, therefore, that the proposed increase of pe-

cuniary profit to Colombia embodied in the committee's scheme was efficacious in disposing of objections based on constitutional grounds.

This project or scheme was referred to another committee, which, on October 14, reported at length thereon and recommended that it be indefinitely postponed.

In its report that committee presented various arguments in support of its conclusion and submitted for consideration certain new points, which are chiefly noteworthy as revealing the committee's ignorance of or indifference to the serious character of the problem confronting it, and its purpose to "hold up" the great undertaking with the view of possibly forfeiting the property and rights of the New Panama Canal Company and compelling the United States to purchase from Colombia that property and those rights. Those new points are set forth in Senate Document No. 51, Fifty-eighth Congress, second session, page 84, and are in the following language:

The Herran-Hay treaty has ceased to exist, both because of its unanimous rejection by the Senate and because the time for the exchange of its ratifications, the 23d of September, has already expired, without any extension having been provided or asked for. Consequently the state of the case is the same that it was before the conclusion of the treaty. The first condition therein established was the permission granted to the new company to transfer its rights. The Senate having refused to accept this condition, the company has remained under obligations to fulfill its contract, and the Colombian Government is still under obligations to respect all its provisions and to cause them to be respected.

How can it be asked that Congress shall enact a law of authorizations to negotiate with a foreign government when the rights and privileges of the New Panama Canal Company are still in force?

The treaty concluded April 4, 1883, which amended those of March 23, 1873, and December 10, 1880, granted to the New Panama Canal Company an extension of ten years—that is to say, until December 31, 1904. Consequently, even without a new extension, the company will be in the full enjoyment of its rights and privileges until October of the coming year. But there is another consideration: The legislative decree No. 721 of 1900 granted to the company a new extension of six years, which begins to be reckoned next year and will end October 31, 1910.

One point now remains to be examined, which has so often been discussed by the press, a point which, now that the matter is under discussion, should be defined.

Is the extension granted by that legislative decree valid or not? In the first case—that is to say, if it is considered valid—seven years must elapse before the extension expires, and therefore any law concerning authorizations seems premature, as three sessions might still be held which would be able to examine the matter and to legislate concerning it with better data and evidence than the present Congress has; and if the extension is not valid, the aspect of the question changes entirely, and the basis of discussion will be quite different.

By the 31st of October of next year—that is to say, when the next Congress shall have met in ordinary session—the extension will have expired and every privilege with it. In that case "the Republic will become the possessor and owner, without any need of a previous judicial decision and without any indemnity, of the canal itself and of the adjuncts that belong to it, according to the contracts of 1873 and 1900."

When that time arrives, the Republic, without any impediment, will be able to contract, and will be in more clear, more definite, and more advantageous possession, both legally and materially. The authorizations which would then be given by the next Congress would be very different from those that can be given by the present one.

It is seen, therefore, that it is the duty of Congress to decide, as a previous question that can not be shirked, concerning the validity of the extension granted in 1900. We venture nothing on the subject, and we respect, in advance, the decision of Congress in so delicate a matter. Supposing that it does not ratify said extension, it is well to observe now that it would be necessary to include in the budget the appropriation that would be necessary to repay to the company the sum of 5,000,000 francs with interest.

Mr. President, by article 1 of the Hay-Herran treaty Colombia, through her plenipotentiary, expressed a willingness to permit the New Panama Canal Company to transfer to the United States its rights, privileges, properties, concessions, etc., without paying Colombia one cent for that permission; by the scheme proposed by the committee, which reported on August 29, it appeared that the wisdom of the Colombian Senate, as embodied in a select committee, found that 50,000,000 francs would be a fair compensation to Colombia for granting that permission, provided the United States would also pay to Colombia \$20,000,000 in American gold; while the last committee, which for divers reasons recommended the indefinite postponement of this scheme, advised a campaign of masterly inactivity, whereby at the end of a year Colombia would possibly become the owner of the canal and its adjuncts, and presumably be in a position to sell the same to the United States for at least \$50,000,000—the \$40,000,000 we were to pay to the New Panama Canal Company for its rights, property, concessions, etc., and the ten millions we were to pay Colombia under article 25 of the Hay-Herran treaty.

Whether this can be regarded as the high-water mark of the cupidity of Colombia's representative statesmen and the limit of their capacity to drag a great international transaction down to the moral level of a gipsy horse trade we will never know, because President Marroquin, whose enemies have never charged him with a want of perspicacity, dissolved the session of Congress on October 31, before the project of August 29 could be brought to a vote or the report of October 14 had come up for discussion.

This was the lame and impotent conclusion of our effort to secure an isthmian canal by a treaty with Colombia. The hope had been inspired by Colombia; she had led us to believe that if we

would abandon the Nicaragua project she would gladly assent to the essential provisions of the convention which her plenipotentiary had signed, only to demonstrate, at last, that she was actuated by no higher motive than to wring from us the last dollar which our eager wish to secure that canal and the resources of our Treasury would enable her to extort.

Mr. President, I do not doubt the right of a sovereign state to amend or reject a treaty, even when its material provisions are the results of her own suggestions; but I affirm that in such a case her grounds of nonconcurrence must be fair and reasonable, and she can not disclose an insincere or unworthy motive for her action without giving a just cause of offense to the other high contracting party.

That I am not singular in ascribing such insincerity and unworthiness of motive to Colombia may be gathered from the utterance of Señor Caro, a prominent Colombian senator, who, in addressing the Colombian Senate on this subject, is reported by Minister Beaupré to have said:

That the minister for foreign affairs had the notes of the American minister read to the Senate, in secret session, with the object of convincing that body of the necessity of accepting the Hay-Herran treaty, in view of the menacing attitude outlined in those communications. Finding in that secret session that the Senate disapproved the treaty and was determined to act accordingly, the Government, through Senator Lorenzo Marroquin, its spokesman, obtained a resolution demanding that those notes be read in public session, with the object of making it appear that the rejection of the treaty was influenced by a sentiment of indignation at the threatening attitude assumed by the United States minister.

This comedy became known to the Government of the United States, and it has resented it.

He was not influenced, generally, by what was reported in the newspapers; but the statement universally given expression to in the press of the United States that the Washington Government resented the criticism made against the United States minister in carrying out the orders emanating both from the President and Secretary Hay can not be without foundation. This was only one instance proving that the Colombian Government had not acted in good faith in these negotiations. The refusal on the part of President Marroquin to sign the treaty before presenting it to the Senate was another.

Whatever reasons the Government adduced as to there being no necessity for such a signature was outside the point. The intention was clear that the treaty was not signed because the Government wanted to have a loophole whereby to escape their obligations to the United States. In other words, it did not want to be under the obligation of coming forward to defend and support a treaty which was signed by its order. It was bound in good faith to the United States to do so. It was for Congress alone to accept or reject it. Had such a course been followed there would have been no reason to look forward with alarm to the attitude which the United States might adopt.

The Colombian Government had nothing to fear from the United States had it clearly done all in its power in supporting the treaty. No responsibility would then have attached to this country for the rejection of the treaty by Congress, a body which had the perfect right to reject or accept as it pleased. What he feared was that the United States might take the Isthmus from us under the just plea that we had acted in bad faith with them. The only strength which a small nation has is its good faith.

Señor Caro was apparently endowed with the gift of prophecy.

The Colombian Congress adjourned sine die on October 31. During its session, and pending action on the Hay-Herran treaty, it became evident at Bogota that if the treaty were rejected the people of Panama would in all probability make a serious effort to sever their political connection with Colombia because of their practically unanimous conviction that the construction of the canal by the United States was essential to their temporal salvation.

So little of a secret, in fact, was this that the appointment by President Marroquin of Señor Obaldia, a citizen of Panama, as governor of that Department evoked a storm of adverse criticism, based on Obaldia's well-known views regarding the connection between the canal and Panama's welfare. It was even publicly discussed in the Senate, and our Secretary of State was informed by Minister Beaupré, in a dispatch dated October 21, that the minister for foreign affairs of Colombia had, on the day previous, thought proper to declare in the Senate that in case of an insurrection in Panama the United States would be bound, under the treaty of 1846, to support the Government against Panama.

That the Colombian Government was seriously impressed with the menacing aspect of affairs on the Isthmus is apparent from the fact that on the 3d of November, at 8.30 a. m., some 470 Colombian troops, destined to garrison Panama, were landed at Colon, which, added to the Government troops at that time in the city of Panama, constituted a force of about 1,000 Colombian soldiers in the two isthmian cities. On the same morning, at 10.30, the commander of the third-rate U. S. cruiser *Nashville*, which vessel had arrived in the harbor of Colon at 5.30 the previous evening, received the following dispatch from the Acting Secretary of the Navy, viz:

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

[Translation.]

NASHVILLE, Care American Consul, Colon:

Maintain free and uninterrupted transit. If interruption threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other point. Send copy of instructions to the senior officer present at Panama upon arrival of *Boston*.

Have sent copy of instructions and have telegraphed *Dixie* to proceed with all possible dispatch from Kingston to Colon. Government force reported

approaching the Isthmus in vessels. Prevent their landing if in your judgment this would precipitate a conflict. Acknowledgment is required.

DARLING, Acting.

The same order was, on the same date, sent to the commander of the U. S. S. *Diex*, then at Kingston, Jamaica, with a battalion of marines, numbering some 400 officers and men.

Orders to the same effect were at the same time sent to the commander of the *Boston*, at San Juan del Sur, Nicaragua, and of the *Marblehead*, at Acapulco, Mexico, commanding them to proceed with all possible dispatch to Panama and to prevent the landing of any armed force, either Government or insurgent, with hostile intent within 50 miles of Panama.

At 3.40 p. m. on the same day the Acting Secretary of State sent the following telegram to our consul-general at Panama and our consul at Colon, viz:

DEPARTMENT OF STATE,
Washington, D. C., November 3, 1903.

Uprising on Isthmus reported. Keep Department promptly and fully informed.

LOOMIS, Acting.

And at 8.15 the same evening received the following reply, viz:

PANAMA, November 3, 1903.

No uprising yet. Reported will be in the night. Situation critical.

EHRMAN.

At 9.50, one hour and thirty-five minutes later, our Acting Secretary of State received the following dispatch, viz:

PANAMA, November 3, 1903.

(Received 9.50 p. m.)

Uprising occurred to-night, 6; no bloodshed. Army and navy officials taken prisoners. Government will be organized to-night, consisting three consuls, also cabinet. Soldiers changed. Supposed same movement will be effected in Colon. Order prevails so far. Situation serious. Four hundred soldiers landed Colon to-day Barranquilla.

EHRMAN.

It thus appears that up to 6 o'clock in the evening of Tuesday, November 3, the Colombian Government was in undisputed possession of the territory of Panama, and that her sovereignty and lawful authority over it and the people living there were equally undisputed. Immediately on landing at Colon, on the morning of the 3d, Generals Tobal and Amaya, who commanded the newly arrived Colombian troops, proceeded by rail to Panama to arrange for quartering their soldiers, leaving Colonel Torres in command at Colon.

When the uprising occurred at Panama, Tobal and Amaya, with Governor Obaldia and a few other Colombian officials, were arrested by the revolutionists, and the Colombian troops, with their commander, General Huertas, quartered in the city of Panama, promptly gave in their adherence to the cause of the revolutionists. At the Colon end of the railroad Torres was endeavoring to arrange for transportation of his troops to Panama by rail. The railroad company declined to transport his troops without a request from the governor at Panama, and this fact was communicated to Commander Hubbard, of the *Nashville*. That afternoon about 6 o'clock Commander Hubbard was notified by the superintendent of the railroad that he had received the necessary request for transportation of the troops and that they would leave for Panama at 8 o'clock the next morning, November 4. In his report, under date of November 8, to the Secretary of the Navy, Commander Hubbard, referring to this, makes the following statement, viz:

At about 5.30 p. m. I again went on shore, and received notice from the general superintendent of the railroad that he had received the request for the transportation of the troops and that they would leave on the 8 a. m. train on the following day. I immediately went to see the general superintendent, and learned that it had just been announced that a provisional government had been established at Panama; that Generals Amaya and Tobal, the governor of Panama, and four officers, who had gone to Panama in the morning, had been seized and were held as prisoners; that they had an organized force of 1,500 troops and wished the Government troops in Colon to be sent over.

This I declined to permit, and verbally prohibited the general superintendent from giving transportation to the troops of either party.

It being then late in the evening, I sent early in the morning of November 4 written notification to the general superintendent of the Panama Railroad, to the prefect of Colon, and to the officer left in command of the Colombian troops, later ascertained to be Colonel Torres, that I had prohibited the transportation of troops in either direction, in order to preserve the free and uninterrupted transit of the Isthmus.

From this it would appear that at that hour it was the wish of Torres, in command of the Government troops at Colon, and of the provisional government at Panama, that the Colombian troops at Colon should be permitted to go by rail to Panama at 8 o'clock on the morning of the 4th, and it can not be doubted that this very singular, significant, and amicable adjustment of the transportation problem would have been arranged had not Commander Hubbard felt constrained by his orders to prevent it.

At 10.45 on the morning of the 4th the train from Panama arrived at Colon, and Torres and his command learned for the first time of the uprising at Panama and the arrest of their commanding officer. It was reported to Commander Hubbard at about 1 o'clock that day that Torres had notified the prefect of Colon, who had informed our consul at Colon, that if Generals Tobal and Amaya were not released by 2 o'clock that day, he, Torres,

would open fire on Colon and kill every "United States citizen" in the place.

Thereupon Commander Hubbard advised all American citizens to take refuge in the shed of the railroad company, which advice was complied with so far as the men were concerned, while the women and children went on board the German steamer *Marco-mania* and the Panama Railroad steamer *City of Washington*. In the meantime, between 1.30 and 2 p. m., forty-two United States marines were landed from the *Nashville* and took possession of the railroad building, while the *Nashville* herself patrolled close into the water front, prepared to use either small arm or shrapnel fire.

For about an hour and a half the Colombian troops, who had surrounded the railroad building, held a more or less threatening attitude, but about 3.15 Colonel Torres, who had apparently cooled down some, sought an interview with the officer commanding the marines, and after expressing himself as most friendly to Americans, claiming that there had been a misapprehension, expressed a wish to send the alcalde of Colon to Panama in order to have General Tobal direct the discontinuance of a show of force. The train was furnished, and the alcalde left for Panama.

At about 5.30 p. m. Torres proposed to withdraw his troops to a point near the outskirts of Colon if the marines would return to the *Nashville*, leaving the police in charge of Colon until the return of the alcalde the next morning. This proposition was accepted and complied with by Commander Hubbard and peace reigned in Colon during the night of the 4th.

Without dwelling longer on the details of this incident, I will state briefly that General Tobal did not give the desired order; that the marines were again landed before the arrival of the alcalde, on the morning of the 5th; that Torres and his force returned into Colon a little later; that affairs again assumed a menacing aspect; that at 7.05 p. m. the *Diex* arrived at Colon with some four hundred United States marines, a portion of whom were landed in the city that evening, and that at 7.45 p. m. Torres and his command sailed for Cartagena on the British steamer *Oronoco*.

This left the Department of Panama in peaceful possession of the revolutionists, who had already organized a junta or provisional government, and through their committee on November 4 had notified Mr. Felix Ehrman, United States vice-consul-general at Panama, and our Department of State of the separation from Colombia of the Department of Panama with the purpose of erecting itself into the sovereign Republic of Panama.

On November 7, under instructions from our Department of State, Mr. Ehrman addressed the following communication to the committee of the Provisional Government, viz:

PANAMA, November 7, 1903.

Messrs. J. A. ARANGO, TOMAS ARIAS, and FEDERICO BOYD,

Committee of the Provisional Government, present.

GENTLEMEN: As it appears that the people of Panama have, by unanimous movement, dissolved their political connection with the Republic of Colombia and resumed their independence, and as there is no opposition to the provisional government in the State of Panama, I have to inform you that the provisional government will be held responsible for the protection of the persons and property of citizens of the United States, as well as to keep the isthmian transit free, in accordance with obligations of existing treaties relative to the isthmian territory.

I have the honor to remain, gentlemen, very respectfully,

FELIX EHRMAN,

United States Vice-Consul-General.

It will be observed that our Department of State was prompt to impress on the new Government of Panama the latter's obligation to keep the isthmian transit free, in accordance with existing treaties relative to the isthmian territory.

On November 5 the committee informed our Department of State that they had appointed Señor Philippe Bunau-Varilla confidential agent of the Republic of Panama near our Government and Dr. Francisco V. de la Espriella as their minister of foreign affairs.

On November 11 Mr. P. Bunau-Varilla notified our Secretary of State that the Republic of Panama had designated him as envoy extraordinary and minister plenipotentiary to the United States, with full powers to negotiate; and on the 18th the President received Mr. Bunau-Varilla and accepted from him his credentials as envoy extraordinary and minister plenipotentiary.

At the beginning of this session of Congress the President transmitted to the Senate for its action thereon a treaty with the Republic of Panama, and in his annual message expressed the opinion that by it our interests are better safeguarded than by the Hay-Herran treaty and that this treaty is better in its terms than those offered to us by Costa Rica and Nicaragua. I quote from his message in this connection the following expression, viz:

At last the right to begin this great undertaking is made available. Panama has done her part. All that remains is for the American Congress to do its part and forthwith this Republic will enter upon the execution of a project colossal in its size and of well-nigh incalculable possibilities for the good of this country and the nations of mankind.

Mr. President, I have endeavored in the foregoing narrative to state as succinctly as I was able the material—and only the mate-

rial—facts that should, in my judgment, determine my action as a Senator regarding this treaty.

The details and intrinsic merits of the treaty itself can be dealt with only in executive sessions of this body; but it is urged with much vigor and eloquence, first, that the conduct of the executive branch of our Government in dealing with Colombia and Panama is quite incapable of defense or justification, and, secondly, that one who disapproves or condemns the Executive's action in any particular in that connection can not favor the ratification of the treaty without ipso facto condoning a flagrant international wrong.

To sustain the first of these propositions it is argued that certain occurrences, both in Panama and in this country, precedent to and practically coincident with the uprising in Panama, demonstrate beyond a reasonable doubt that some official or officials of the United States in position of high responsibility, through some unknown medium, incited the Panama leaders to revolt against Colombia by intimating, suggesting, or otherwise communicating to them the favorable course of action which the Executive of the United States would pursue in case of an uprising on the Isthmus.

It will be admitted that there were circumstances which gave a strong coloring and plausibility to this contention, but we are relieved of any occasion to speculate concerning them by the positive and unqualified denial of the President, made in his message to Congress on the 4th of last month. That denial is comprehensive and complete, and, so far as I am concerned, disposes of the charge definitely and conclusively.

In support of the same proposition it is also urged that the Executive violated the act of Congress commonly styled the "Spooner Act," in that when the Colombian Senate rejected the Hay-Herran treaty he did not, as required by that law, abandon the Panama route and proceed to negotiate with Nicaragua and Costa Rica for the right of way via San Juan River and Lake Nicaragua.

My understanding of the object and terms of the Spooner Act compels me to differ with those who hold this opinion.

While with the light we now have on the motives of the Colombian Executive and Congress it seems that they were not disposed at an early day to make any compact with us under which we would be able to secure a satisfactory title to the property of the New Panama Canal Company and perpetual control of a canal zone across the Isthmus on reasonable terms, still their action was not conclusive of Colombia's purpose to adhere to a policy so antagonistic to her own interest, and Congress had expressly permitted the President to keep the matter open with the Government of Colombia until a reasonable time for securing the desired rights had elapsed.

The Colombian Congress did not drop the matter with the rejection of the treaty on August 12. While they had thrown its propositions overboard with as little compunction or hesitation as if those propositions had been an orphaned litter of blind puppies, they had not abandoned consideration of the great subject to which they related, and at the time of their dissolution that Congress had before them a series of counter propositions, which were undoubtedly intended for the consideration of the United States. Can it be justly said, in view of the magnitude of the subject and the circumstances attending the negotiations with Colombia, that when the Colombian Congress adjourned the Panama route was effectually and finally barred against us, and that any further effort to secure what this Government deemed the most desirable route would involve an unreasonable consumption of time? In my judgment, Mr. President, this can not be done; and if it can not, this point of criticism of the Executive is not well taken.

The point has also been dwelt on by some of those who criticize the action of the President as being contrary to the requirements of the Spooner Act, in that he had no right to treat with any other sovereignty than Colombia for the Panama Canal concession, because the Spooner Act required him to secure the right of way across the Isthmus from the Republic of Colombia. To my mind, Mr. President, this contention subordinates the spirit and object of the Spooner Act to its letter, and is contrary to the plainest rules of statutory construction.

The territory over which we desired to secure control was as distinct and well defined as a city lot or block. The purpose to which we desired to put it—viz, a canal route across the Isthmus of Panama—was the only purpose for which we could use it, and it was quite immaterial from what owner or sovereignty we were to obtain it. To obtain the concession for that route was of the essence, to obtain it from Colombia was simply incidental. I do not think, Mr. President, that this point can be successfully maintained, and I shall dismiss it with this brief reference.

It is further urged that the Executive in recognizing the existence of a government in Panama, through the action of our consul-general, Mr. Ehrman, on the 7th of November, only four days after the outbreak of the revolution, violated a plain canon of international law, because it is a principle of law governing the recognition of all governments, and particularly those that have

seceded or withdrawn from political connection with existing states, that they should not be recognized until they have established a stable government and have manifested ability to maintain their independence.

The same is said with equal force concerning the action of the President in receiving Mr. Bunau-Varilla on the 13th of November as envoy extraordinary and minister plenipotentiary of the Republic of Panama and accepting the credential tendered by him.

Under our Constitution the President is vested with authority and discretion to receive ambassadors and other public ministers. It is for him to determine whether or not he shall by receiving such a diplomatic official commit the United States to a recognition of the sovereignty and independence of the state sending the envoy.

I am quite certain that there are considerations connected with this case which would have deterred most of our Executives from taking this important and conclusive step when it was taken, and I myself believe that the President was guilty of error in acting as precipitately as he did.

But, Mr. President, in my judgment the principal wrong involved in that error was suffered by the United States, for by it a precedent has been set which is alike menacing to our peaceful relations with foreign nations and to the preservation of our well-deserved reputation for an exalted sense of right and justice.

I differ with those, Mr. President, who affirm with much emphasis of assertion that had it not been for the interference of the armed forces of the United States with the freedom of movement of the Colombian troops the revolution would have been speedily crushed. Our action may have prevented a conflict and bloodshed, which I hold, however, to be no excuse for that action under the then existing conditions; but I am free to say that it is not clear to me that it could have been crushed by Colombia, even if the United States had kept her Navy and marines out of sight of the Panama coast. The revolutionists had gained absolute control of the city of Panama, and with the Colombian troops there, who had joined the revolutionists, had at their command a force largely superior to that which General Tobal landed at Colon on the morning of the 3d of November. The people of Panama had every reason to wish for separation from the Colombian Republic, and it stands to reason that they were practically unanimous in favor of independence and autonomy. Their territory was separated from the rest of Colombia by about 300 miles of as rugged mountain wilderness as can be found on this hemisphere. On the east and south this barrier rendered them practically safe from invasion. On the west and north they had a friendly republic from which no present hostility was to be apprehended. Colombia herself was absolutely bankrupt financially, and politically was torn to pieces by perennial contests between irreconcilable factional leaders. Panama could be approached only by water, and the Colombian navy was so feeble and moribund as to be incapable of performing any more warlike duty than the transportation of such few troops as their limited size would permit. We certainly would not have permitted them to bombard either Panama or Colon.

Panama would have had the sympathy of the people of the United States, and of all people who view with approval the efforts of the downtrodden and oppressed to strike off their political shackles, and I doubt not would have been able to procure all the financial and material aid that was necessary to enable her to make a vigorous defense of her territory. If these considerations are of weight it would not seem that the alleged disparity of strength between Panama and Colombia, based on their very unequal populations, was so great as to make the effort of Panama to maintain herself against the attack of Colombia as hopeless as has been contended for.

Again, Mr. President, while the principle of international law that I have referred to is undisputed, it is also an accepted doctrine that a state, when called on to recognize the sovereignty of a new-born state, is justified in shaping her action according to what she believes to be her best interests. Conceding that the requirements for recognition have been complied with, it does not follow that the state from which recognition is sought is bound to recognize unless she sees that it is to her interest so to do.

In other words, it may be said that while a new-born state should not be recognized as sovereign and independent until she has placed herself in the position required by the law of nations, the fact that she is in such position does not impose on another state any obligation to recognize her at any particular time. Whether the recognition shall be prompt or long deferred is a matter entirely in the discretion of the recognizing state. On this principle our Government has acted in numerous instances in dealing with the question of recognizing new states.

To recognize as independent a state that has seceded from another state before the former has established a government or demonstrated her ability to maintain her independence, is an act of hostility to the latter state, and may justly be assigned as a cause of war against the recognizing state. To do so after a gov-

ernment has been established and ability to maintain it against the enemy has been demonstrated, is not inconsistent with the obligations of neutrality and can not be a just cause of war.

While, as I have indicated, it is my opinion that there was reason to believe that Panama could successfully resist the assaults that Colombia might have made on her, it is a fact that as to this there was and still is a wide difference of opinion, and she certainly, at the time of her recognition by our Government, had not shown or attempted to show what she could do in that regard.

It was purely a matter of conjecture, and will ever remain as remote from an accomplished fact. Neither was the other requirement of law for Panama's recognition an existing fact. She was not a republic, either in form or in substance, and her government was a committee, composed of a very limited number of men who had grasped the sovereignty of the state provisionally and with the avowed purpose of ultimately, at some other time, organizing such a government as is recognized by civilization. In recognizing the so-called Republic of Panama, under these circumstances, the President undoubtedly furnished Colombia with a just cause for a declaration of war against us.

This, Mr. President, was a step which I am quite sure can not be justified under that provision of our Constitution which vests in the Executive the right and power to recognize a sovereign state. The true interpretation of that clause of our Constitution would, I think, impose on the Executive the duty of ascertaining beyond any question whether his act of recognition could be justly construed as an act of hostility by any nation that had reason to object to such recognition, and if he found that his action could be so construed then it would be his duty to defer recognition, at least until he could have an opportunity of consulting that branch of our Government to which the Constitution confides the grave responsibility of declaring war.

There may be, undoubtedly, some exigencies in which the Executive has to perform some act that will probably lead to war; but such exigencies are rare, and it is very clear that the framers of the Constitution in vesting in the President the right to receive ambassadors and other public ministers did not contemplate that the power so conferred should ever be used as a substitute for a declaration of war.

To my mind, however, Mr. President, the feature connected with this incident of the Panama revolution that is most objectionable and indefensible is found in the fact that, try to defend it as we may, the Colombian Government in a time of peace, when her relations with us, though perhaps not cordial, were certainly not hostile, was prevented by our Government from attempting to assert her undeniable right to suppress disorder within her own territory, and that it is a fact that the peaceful organization of the Panama Government was probably due to our interposition.

When, in addition to this consideration, it is borne in mind that we were most solicitous to secure a right of way for a ship canal across the Isthmus of Panama, and that by our precipitate recognition of the independence of Panama we made a long stride toward the realization of that desire, it would seem to a disinterested and impartial judgment that the United States had abandoned her time-honored traditions and had recklessly subordinated the preservation of her high repute among the nations of the earth to the sordid purpose of material profit.

But, Mr. President, while it may be admitted that in the matter of recognition of the Republic of Panama something may be said, if not in justification, at least in palliation of that unprecedented step, and that some of the criticisms evoked by it have been extremely harsh and bitter, the remaining point to which those who have criticised the Executive's action have earnestly called attention is to my mind much more serious and much more difficult to defend.

In a former part of my remarks I called attention to dispatches sent by our Acting Secretary of the Navy on November 2, 1903, to the United States cruiser *Nashville* at Colon, the *Boston* at San Juan del Sur, the *Marblehead* at Acapulco, and the *Dixie* at Kingston, Jamaica. It will be observed that the dispatch directed to the commanding officer of the *Nashville* and the others were of similar import, ordered him to "prevent the landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other point," adding that a Government force was reported approaching the Isthmus in vessels and that their landing should be prevented if in the judgment of that officer such landing would precipitate a conflict.

This dispatch was sent and reached its destination before a single hostile arm was raised against the sovereignty of Colombia on the Isthmus of Panama. We were at peace with Colombia, with her diplomatic representative at our capital, and our minister residing at Bogota. We had only a short time previously emphasized our recognition of the sovereignty of Colombia over the

Department of Panama by undertaking to gain the consent of Colombia to the construction by us of a canal across the Isthmus.

Under the law of nations these orders to our naval commanders were in flagrant violation of the sovereign rights of Colombia and can not be successfully defended or justified, unless it can be shown beyond question that Colombia had yielded up to the United States the right possessed by every sovereignty to suppress disorder and unlawful violence within her own territory. Clearly, if we had no treaty right with Colombia empowering us to interpose between her and her prospective domestic lawbreakers, those orders commanded our officers to commit an act of war against Colombia.

It will also be observed that subsequently, after the uprising had occurred at Panama, our naval officer in command of the *Nashville* landed marines for the purpose of preventing Colombian troops who were on their way to Panama from being transported to that city. The officer in command of the Colombian troops was informed by the commander of the *Nashville* that he would not be allowed to proceed to Panama, and a conflict and probable bloodshed were averted only because the Colombian commander desisted from any forcible effort to carry out his purpose.

This conduct on our part is, of course, also unjustifiable under the law of nations, and can not be supported unless it can be shown that Colombia by treaty or concession gave the United States the right to take this action.

I have listened, Mr. President, to some of the arguments in justification of the Executive in the matter to which I am now referring, and I have read with due care and attention the arguments furnished us by the President himself in his annual message and in that of January 4 but I have failed to hear or discover anything in those arguments approximating to a justification of that action.

Article 35 of our treaty of "peace, amity, navigation, and commerce" of 1846 with New Granada, to the rights and obligations granted and imposed by which Colombia succeeded, contained reciprocal stipulations on the part of the contracting parties which may be briefly summarized as follows:

The Government of New Granada guaranteed to the Government of the United States that the right of way or transit across the Isthmus of Panama, upon any mode of communication then existing or thereafter constructed, should be open and free to the Government and citizens of the United States and for the transportation of any articles of produce, manufactures, or merchandise of lawful commerce belonging to the citizens of the United States. * * * And the Government of the United States, in order to secure to themselves the tranquil and constant enjoyment of the advantages mentioned and as an especial compensation for said advantages and other favors acquired by the treaty, guaranteed, positively and efficaciously, by that stipulation the perfect neutrality of the Isthmus of Panama, with the view that free transit from one to the other sea should not be interrupted or embarrassed in any future time while the treaty should exist; and in consequence, the United States also guaranteed in the same manner, to wit, positively and efficaciously, the right of sovereignty and property which New Granada then had and possessed over the said territory, to wit, the entire Isthmus of Panama.

The construction put upon this guaranty of neutrality by all of our Secretaries of State who have had occasion to refer to it in their State Papers has confined the obligation on the part of the United States to the preservation of the neutrality of the Isthmus against any warlike acts on the part of any foreign nation.

It has on more than one occasion been declared by such authority that the duty imposed on the United States by that stipulation did not require us to interfere in the domestic broils of New Granada or Colombia. It has been contended by some of our publicists, and with some show of reason, I think, that under that guaranty the United States had the right, in case Colombia was unable to suppress disorder in Panama whereby the open and free transit across the Isthmus was obstructed, to interpose with such force as was necessary to remove such obstruction and preserve uninterrupted and unembarrassed transit by restoring the supremacy of legitimate authority.

This would be consistent with the expressed purpose of our guaranty of neutrality and with the purpose of Colombia in conceding to us free transit without interruption or embarrassment. Undoubtedly, under that clause of the treaty, we had the right when requested by her to give our aid to Colombia in suppressing disorder or insurrection on the Isthmus, whereby free and open transit was likely to be interrupted, but we were under no obligation to do so, and that right is very different from the right to prevent Colombia from taking proper steps to suppress an insurrection against her authority.

The fact that the parties to the treaty thought proper to insert after the guaranty of neutrality the further guaranty of the

right of sovereignty and property of New Granada on the Isthmus discloses their intent to exclude the idea of any release of her sovereign rights over the territory other than that which was necessary to enable the United States to comply with her guaranty of neutrality. Had there been no clause in the treaty guaranteeing the sovereignty of New Granada, the fact that she yielded any more of her sovereignty than was necessary, in order to enable the United States to perform her duty as a guarantor of neutrality, could not be inferred or gathered by implication from anything in the treaty.

Sovereignty, Mr. President, has been defined more or less tersely by different authorities on international law. From some of them I quote the following. It is—

The supreme power by which any state is governed. (Wheaton's Elements, etc., p. 115.)

The supreme, absolute, uncontrollable power by which any state is governed. (Cooley.)

The political authority, whether vested in a single individual or a number of individuals, to order and direct what is to be done by each individual in relation to the end and the object of the state. (Halleck.)

The union and exercise of all human power possessed in a state; it is a combination of all power; it is the power to do everything in a state without accountability; to make laws, to execute and apply them, to impose and collect taxes and levy contribution, to make war or peace, to form treaties of alliance or commerce with foreign nations and the like. (Story.)

Vattel, book 1, section 4, defines a sovereign state to be:

Any nation or people, whatever may be the form of its internal constitution, which governs itself independent of foreign powers.

This supreme, absolute, and uncontrollable power is necessary and essential for the self-preservation of a state, and is never yielded or surrendered, even in a minor degree, except for most compelling reasons. If relinquished to any considerable extent it necessarily means the destruction of the state's independence, which is the very life and soul of the nation.

Of the absolute and undeniable rights of states says Wheaton:

One of the most essential and important, and that which lies at the foundation of all the rest, is the right of self-preservation. It is not only a right with respect to the other states, but a duty with respect to its own members, and the most solemn and important which the state owes to them.

And Chancellor Kent tells us that—

The right of self-preservation of a nation, as well as of an individual, is paramount to all other considerations.

There is no right of sovereignty more essential and fundamental than that which empowers it to suppress and punish violation of its laws. Without it a state can not preserve its existence, and the surrender of it necessarily means the destruction of the state. Therefore every implication is against the intent of a state to give up this fundamental right, and it can only be conceded when it is done in positive, unequivocal, and express terms.

Therefore I claim, Mr. President, that had the United States not guaranteed the sovereignty of Colombia over the Department of Panama by article 35 of the treaty of 1846, it could not have been inferred, in view of the subject-matter of that treaty, the situation of the parties thereto, and the circumstances connected with its negotiation and execution, that it was the intent of either of the high contracting parties that Colombia should relinquish, in the slightest degree, her sovereign right to suppress rebellion against her authority, or lawlessness of any kind, in that territory.

Neither can that be inferred from any expressions contained in article 35, because it is in no sense inconsistent with any of the provisions of that article that Colombia should retain a right so necessary to the preservation of her sovereignty. But, Mr. President, by a distinct and substantive clause in article 35 the United States guaranteed to the Republic of New Granada and its successors, positively and efficaciously, the rights of sovereignty and property which New Granada had in that territory.

In view of these considerations, can it be consistently argued that in preventing the Government of Colombia from transporting troops from one point to another in her territory of Panama, merely on the suspicion that this might result in an interruption of transit across the Isthmus and in prohibiting her, after it was ascertained that an uprising had begun in the city of Panama against her authority, from landing troops within 50 miles of the line of transit, which troops were necessary to quell resistance to her lawful authority, we did not in so doing violate our guaranty of Colombia's sovereignty over that territory?

That our Executive and Department of State regarded it the duty of Colombia not merely to protect the persons and property of citizens of the United States in Panama, but also to keep the isthmian transit free in accordance with Colombia's obligations under the treaty of 1846, is apparently admitted by the communication of our vice-consul-general at Panama under instructions from our Department of State to the committee of the provisional government under date of November 7, 1903. In that communication our representative used the following language:

I have to inform you that the provisional government will be held responsible for the protection of persons and property of citizens of United States, as well as to keep the isthmian transit free, in accordance with obligations of existing treaties relative to the isthmian territory.

If the obligation to keep the isthmian transit free was imposed on the new-born Government of Panama because of its having succeeded to the rights and duties of Colombia under the treaty of 1846, the query naturally arises, How could our Government consistently have denied to Colombia only a few days before the right and duty, under the same treaty, to comply with the same obligation?

If Colombia could not be permitted to take necessary steps to prevent a mere possible interference with free and open transit across the Isthmus, how could it be logically or justly required of Panama to do that very thing under identically the same treaty with Colombia?

I confess, Mr. President, that I am at a loss to understand how the conflicting attitudes of our Executive in this matter can be reconciled. I regret to say that the argument of the President embodied in his message of January 4 does nothing to relieve this point of the embarrassment in which it is involved, though it does much to show that any obligations of ours or rights of Colombia under article 35 of the treaty of 1846 were not embarrassing him.

He tells us, among other things, that it was his intention to consult Congress as to whether, under the conditions occasioned by the rejection of the Hay-Herran treaty and the adjournment of the Colombian Congress without further action, it would not be proper to announce that the canal was to be dug forthwith, that we would give the terms we offered and no others, and that if such terms were not agreed to we would enter into an arrangement with Panama direct, or take whatever steps were needful in order to begin the enterprise.

It is fair to infer that such a course commended itself to him as worthy of deliberate consideration, and if such is the fact it brings out in startling relief the President's unique conception of our international rights and furnishes a key to much that is connected with this whole subject that is otherwise quite inexplicable. The proposition which the President contemplated submitting to Congress was, in plain English, to tell Colombia that if she would not concede to us all that we sought from her in her territory on the Isthmus we would, in the face of our treaty with her, in defiance of her rights under the law of nations, ignore her sovereignty over the Isthmus, deal with Panama direct, and take what other steps we thought necessary to occupy and use her territory.

In view of his subsequent summary disregard of Colombia's rights in the premises, the only surprising feature of this declaration by the President is the statement that he contemplated consulting Congress about the matter.

The fifth paragraph of article 35 of the treaty of 1846 is in the following language:

Fifth. If, unfortunately, any of the articles contained in this treaty should be violated or infringed in any way whatever, it is expressly stipulated that neither of the two contracting parties shall ordain or authorize any acts of reprisal, nor shall declare war against the other on complaints of injuries or damages, until the said party considering itself offended shall have laid before the other a statement of such injuries or damages, verified by competent proofs, demanding justice and satisfaction, and the same shall have been denied, in violation of the laws and of international right.

If, as the President evidently seems to think, Colombia in rejecting the Hay-Herran treaty violated or infringed on any of our just rights under article 35 of the treaty of 1846, the duty imposed on him by the provisions of that paragraph, which I have just quoted, of laying before the Colombian Government a statement of the injury complained of and demanding justice and satisfaction therefor, was as obligatory as any other requirement of that treaty and should have been complied with.

There are other points bearing on this subdivision of the question to which I might refer, and which probably are as worthy of consideration as any that I have here developed, but I have already consumed more time than I intended when I first entered on this subject, and I shall content myself with observing that in my judgment, for the reasons I have given, the action of the Executive in preventing the Colombian Government from landing her troops on her own territory, in a time of peace, and in preventing the Colombian authorities from attempting to suppress an insurrection against the law and authority of that State was a gross violation of international law and of our treaty then existing with Colombia.

Mr. President, the next and last question which presents itself for consideration in connection with this subject is whether, disapproving as I do most unreservedly and emphatically the Executive's action in the two particulars last discussed, I can favor the ratification of a treaty with Panama providing for the construction of an isthmian canal across the territory of that State without condoning the wrong which I have disapproved.

The question is one of serious importance and involves the assumption of a responsibility of the weightiest character. It would have been an easy matter if I could by any conscientious course of reasoning have brought myself to believe that the Ex-

Executive's action in all the particulars I have referred to was free from reproach. It would have been easier and, perhaps, more politic in me, viewing the important questions involved as I do, to have remained silent and to have cast my vote in the way in which I believe a great majority of the people whom I, in part, represent on this floor would have me to vote.

By so doing I might have avoided some of the criticism which the more pronounced course that I am pursuing naturally invites. But, Mr. President, I am quite satisfied that I can favor the ratification of the pending treaty or any other treaty with the Government of Panama, if in their details they meet with my approval, and at the same time logically retain my right to disapprove of the action of the Executive in its dealings with Colombia.

Article II, section 3, of the Constitution vests in the President the right and power to recognize new states by receiving ambassadors and other public ministers. It is a power exclusively in the President, and the occasion for its exercise and the conditions under which it is to be exercised are left exclusively, and necessarily so, in the sound discretion of that officer.

It is a power that should not be used improvidently or with an improper motive, because when exercised affirmatively it fixes a status of the state recognized and of this Government, with relation to each other, imposing and conferring duties and rights on them, respectively, that can not thereafter be logically or rightfully denied or contested by either Government.

When the Executive of this Government has once fixed that status, the question of the correctness, justice, or wisdom of his action in so doing is no longer a practical question, so far as the action of the other two coordinate departments of our Government is concerned. The individual members of our highest judicial tribunal may, as individuals, disapprove or condemn the Executive's action in such a case, but in their judicial capacity, as a coordinate branch of the Government, they are bound to accept and recognize as a conclusive fact the status which has been fixed by the authority in whom the Constitution has confided the exclusive right and duty to perform the act by which that status is fixed. This principle is so well established by numerous decisions of that tribunal that it may be said to be a part of the fundamental law of the land.

The reasoning that applies in the case of the judiciary, Mr. President, is equally as forcible when we come to consider the position or attitude which the legislative department of our Government, or the Senate when acting alone in its executive capacity, under the treaty-making power, should take when confronted with an instance of recognition of a new state by the Executive, under circumstances which Congress or the Senate regards as unjustifiable.

A discretion to act or not act vested exclusively in one of our coordinate branches of Government can not be controlled by either of the other branches, and when once exercised can not be ignored or denied by either without infringing on or usurping the exclusive right or duty of the branch that has been vested with the discretion.

An act of Congress that has been constitutionally passed over his veto is binding on the President, though he may regard it as inspired by unpatriotic motives and as grossly unjust.

The income-tax decision is regarded by many of us as absolutely wrong, but the Senate in its legislative capacity can not deny that it is the law to-day. For this reason it would be wrong, if not revolutionary, in my judgment, Mr. President, for Congress to refuse to provide compensation for a minister who, having been nominated by the President and confirmed by the Senate, had under that authority undertaken to represent this Government at the capital of a state, solely because a majority in Congress believed the state in question had been unwisely, improvidently, or in any way unjustifiably recognized by the President.

The remedy or redress in such a case lies not with Congress nor with the judiciary.

It is possible that if the gravity of the Executive's abuse of discretion, in such a case as I am considering, were to present itself to a majority of Congress as of sufficient enormity, it might be practicable under the constitutional provision for impeachment to take such action as would at least exert a deterrent influence in the future; but the only certain, efficacious, conclusive, and practicable redress lies with the people of this country, who vested the Executive with that function of their sovereignty which he abused, and who by their suffrages can constitutionally express their approval or disapproval of his conduct.

Congress undoubtedly, in such a case, if it deemed proper, and the Senate alone, as in the instance of the pending treaty, might, in order to emphasize its disapproval of the Executive's action in recognizing Panama, ignore the existence of that State, and refuse to take any Congressional or Senatorial action regarding such an entity as the Republic of Panama; but I hold, Mr. President, that such a course could not be justified on any constitutional

ground, and that it would lead us only into a bewildering and endless labyrinth of inconsistencies and anomalies. What Congress or either of the Houses thereof ought not to do, the individual members of those Houses ought not to desire them to do.

Since Panama has become a sovereign State, she has probably in that character and by reason of her geographical position and the recognition of her sovereignty by our Executive succeeded the Republic of Colombia in the enjoyment of the rights granted, and has incurred the obligations imposed by article 35 of our treaty of 1846 with New Granada. By that treaty the Government of the United States is obligated to preserve the neutrality of the Isthmus of Panama, which includes the entire territory of the Republic of Panama, against all foreign assailants.

It is also probably obligated to preserve the sovereignty and property rights of the Republic of Panama in the territory of Panama. By the status which was given to the Republic of Panama immediately on its recognition as a state by the Government of the United States, the Republic of Colombia assumed, so far as this Government is concerned, a different relation to Panama from that which had formerly existed, and became a nation foreign to Panama.

The conclusion, therefore, follows that should Colombia undertake to invade the territory of Panama, and Panama be unable to effectively resist such invasion, the United States, under our treaty of 1846 with New Granada, would probably be bound to use such of our military and naval force as would be necessary to expel the Colombian troops from the territory of Panama. This necessarily would mean war with Colombia, a condition which may possibly exist at an early day, and, as patriotic citizens and legislators of the United States, all of us would feel obligated to vote the necessary supplies and take all legislative action required to carry that war to a successful conclusion by protecting and maintaining the integrity of Panama as a state.

Should this Senate, therefore, reject the pending treaty for the reason assigned, we might very possibly be placed in the attitude of authorizing the expenditure of the blood and treasure of our people in order to maintain a state legally if not justly recognized by our Government, the sovereignty of which our Government is obligated by a treaty to defend, yet with which we Senators are unwilling to treat. I trust that we will escape the embarrassment of such a situation.

The Republic of Panama will doubtless exist as an independent state for many years, unless the Government of the United States shall conclude to benevolently assimilate her. Conceding that this Senate should reject the pending treaty, because by not so doing it would condone the unjustifiable action of the Executive, and next year, or the year thereafter, or at some time in the not remote future, the same or a similarly favorable treaty with the Republic of Panama, covering the same subject, were presented to us for ratification, what would then be our attitude concerning the propriety of ratification?

If there is any moral delinquency involved in ratifying it now, would a mere lapse of time serve to condone that delinquency and make what is wrong now right and just then? If not so, Mr. President, it will be impossible for anyone who now believes that he can not vote for the ratification of the treaty without condoning the much-discussed action of the President to ever look with favor on a proposition for a canal across the Isthmus of Panama so long as the Republic of Panama exists.

It is possible, Mr. President, that when the pending treaty comes to be carefully considered and analyzed there may be reasons developed why it should be amended, or even rejected; but, viewing our function and constitutional limitations as I do, I fail to see any sufficient reason why a member of this body who disapproves and condemns the President's action as I do—emphatically and unqualifiedly—should, for that reason alone, feel it his duty to antagonize the treaty.

Such action might be construed as a rebuke to the President, but, in my judgment, it would be a rebuke administered in a method and manner which we are not authorized to employ. I know of nothing more tangible or practical that it would accomplish than to remit to an indefinite future and to the multitudinous contingencies and uncertainties of the years to come the realization of a superlatively desired object of the people of the United States in general and of my own constituency in particular.

Such a step, involving an overwhelming disappointment to many millions of our citizens, and the probable destruction of any reasonable hope for an isthmian canal during our generation, should not be taken lightly nor for any but the strongest and most convincing reasons. The fact that the President has erred most seriously, as I affirm, in performing a constitutional duty imposed on him, and on him alone, is not, in my judgment, such a reason.

Mr. HEYBURN. Mr. President, it had not been my intention to take any part in the discussion of the Panama question. I have felt that it was in able hands, and that the committee hav-

ing charge of the matter primarily would present every phase and feature of it. Practically everything that could be said in regard to this question has been, from some standpoint, discussed. But we each have our differing views as to the effect and the force of the various matters involved in the Panama question.

I do not feel called upon to apologize for any act or thing that has been done by the Republican Administration in dealing with this question. No apology is necessary, because no act of the Administration has been beyond the scope of its powers and without the scope of wisdom.

The question of the recognition of the Government of Panama is a settled and determined question; it is not open for further consideration to the end of modifying or changing the act; it is not within the power of this body to do so, and were it within its power, I am satisfied that it would not meet with the approval of the majority of this body that any change should be made in any act that has been done by the Administration. The question stands to-day upon the wisdom of the negotiations that have taken place between this Government and the Government of Panama. Anything back of or behind the hour of the recognition of that Government is merely a question of inquiring into matters that can not in any way affect the action of the Senate; and in the discussion of this question as lawyers or the consideration of it as a court we do not need to go behind that day.

It may, however, be interesting that we should for a moment consider the circumstances that led up to the situation which confronts us to-day. We gather wisdom for dealing with the present question from a consideration of the conditions and circumstances out of which it grew.

The proposition to dig a canal across the Isthmus of Panama is practically as old as is the history of that country. I have no doubt the aborigines, bending the prows of their canoes against those banks, sought to find some way to cross from ocean to ocean, and since the days of the Spanish navigators who discovered this ligament binding together the two continents upon this hemisphere, the question has never been quiet. During the Administration when the affairs of state were in the hands of John Quincy Adams, steps were taken to secure the construction of such a canal.

Those efforts were not relaxed until in 1843 the Government of New Granada sent its representatives to the strong governments of the earth to see if it could not enter into some arrangement with them that would result in the construction and operation of this canal. To England, to France, to Germany, and to the United States their representatives went. That action resulted, so far as we are concerned, in the making of the treaty of 1846, which gave us a right of way and a right to participate in the enjoyment of any other rights across the Isthmus. Whatever right, passed, whatever is within the purview of the term "right of way," came to us by virtue of that treaty. We paid for those rights; we entered into a solemn obligation with the Government of New Granada that we would perform certain things in consideration of the rights which they had conceded to us.

At that time, of course, it could not have been contemplated that there would be a canal as we understand it to-day, because the world had not then advanced to that point; the means of crossing the Isthmus were not up to the broad and splendid scale of the possibilities of to-day; but that was the foundation that ultimately led to the commencement of the project of digging the canal.

The treaty with reference to the right of way with those Governments contemplated that the enterprise should be a private one assisted by a government. At that time it was not contemplated that any government would undertake this as a national project, but only that they would give their encouragement and assistance to the persons or the corporations who might be willing to enter upon it.

We obtained by virtue of the treaty of 1846 this right of way, and in order to understand just what was contemplated we must look to the instructions that were given by the Government of New Granada to its representatives who went out for the purpose of securing this contract at the hands of other governments. We find a translation of them in Senate document No. 17, on page 28:

Mr. Mosquera is authorized, first, to conclude a treaty with the Governments of Great Britain, France, the United States, Holland, and Spain, or with one or more of them, in order that the said Governments may charge themselves with the enterprise of opening a canal of large dimensions across the Isthmus of Panama.

That was in 1843, three years before the consummation of the treaty which emanated from those instructions and that effort. So, in interpreting the treaty of 1846, we have to resort to the familiar rule of taking into consideration the things which led up to it, the intent of the parties who made the contract, and we find their intent expressed in the instructions given to their minister who ultimately negotiated that treaty.

That treaty was not negotiated with Colombia. Senators have

spoken of it as a treaty with Colombia, and of Colombia's rights under the treaty. That treaty, so far as the Isthmus of Panama was concerned, was one in which the guaranty of sovereignty and of neutrality ran with the land to which it was applied—to Panama. Panama was one of the states or provinces which by compact constituted a larger government at that time. She was recognized as such and spoken of as such by Mr. Polk in the message with which he transmitted the treaty to the Senate. It was the Province of Panama.

New Granada, being the center of power that governed Panama and the other provinces that constituted the Government of New Granada, speaking for this province and for the things that peculiarly belonged to it, to wit, the Isthmus of Panama and the right to cross it, entered into a treaty with the United States that the United States should guarantee the neutrality and the sovereignty of Panama. The language confines that guaranty to Panama. They did not undertake to guarantee the neutrality or sovereignty of New Granada, but only that of Panama. So long as Panama was a part of the Government of New Granada, of course no question could arise as to the local application of this treaty, but just as soon as Panama ceased to be a part of the Government of New Granada, then the question did arise as to the application of this provision in the treaty that guaranteed the neutrality and the sovereignty.

I maintain, Mr. President, that our guaranty in the treaty of 1846 does not extend, nor did it ever extend, beyond the geographical limits of Panama; and in whatever hands we find the Government of Panama, there is where the obligation of the treaty attaches. It did not attach to Bogota or to any other portion of what then constituted the Government of New Granada, but attached to Panama, and from the hour that we recognized Panama as a sovereign Government, it did not become us, nor was it necessary for us to consider the rights or the will of any other government than that of Panama. If we guaranteed the neutrality and the sovereignty in Panama, then after the recognition of Panama we could go there and we could prevent the troops of any other country on earth from landing there, because our obligation attached to that political geographical government, and no other.

If that is true, all the criticism as to the protest and the rights to be given to Colombia, as represented by its Government at Bogota, falls to the ground and the President was entirely within the scope of his power; he was within the letter and the spirit of the law that governed him when he dealt solely and alone with Panama as a separate government. I do not care, Mr. President, if that Government had not been organized an hour. More than one of the great governments of the earth has come into power in an hour, and the power has been sustained through centuries. The process of revolution is not a growing process. It is one that turns with the hand of time—quick, conclusive, just as though it had come up through the process of a constitutional convention and ratification by the people.

The Government of Panama is recognized by all the great powers of the earth. In what position would we stand to-day if we were to attempt in any measure to discredit its sovereignty or its existence? With whom else could we deal for any rights that related to the Isthmus of Panama to-day but with the Government of Panama? Would a treaty with Colombia give us any right without discrediting not only our act in recognizing the Government of Panama, but the act of every other government that has recognized it? We are certainly not in a position to make any admission here by implication that would discredit our act. No; we must recognize the fact, first, that Panama is the sovereign, and the only sovereign, power with which to deal, and we must measure the acts of the Administration as they are applicable to that sovereignty and not as they are applicable to the sovereignty of Colombia.

Colombia is said to have inherited the rights of New Granada. Perhaps she did. The fact is, as history tells us, that she seized them without conscience and without right; and it ill becomes a Government that has acted as Colombia has acted in connection with this matter and with this treaty to attempt to draw fine lines and split hairs on questions of international law and international morals.

The Government of Colombia lost its sovereignty over Panama by reason of its own perfidy, and it stands to-day a political outcast among the nations of the earth, having discredited its own representatives in their contracts with this Government.

As has been illustrated and pictured here through the dispatches and records which have been read in connection with the speeches of other Senators, Colombia has been guilty of acts of connivance that would discredit either an individual or a nation in any civilized portion of the globe.

Colombia recognized officially the existence of the Republic of Panama on the 6th day of November. It had existed then—and I care not whether it had a constitution or whether or not its gov-

ernment had been formed—it existed at least from the 4th day of November. It had been in existence three days at the time that Colombia recognized its existence.

This is what the Colombian Government, speaking through its official, says in regard to it on the 7th day of November, 1903, as we have it from our representative there:

Mr. Beaupré to Mr. Hay.
[Telegram.]

UNITED STATES LEGATION,
Bogota, November 7, 1903.
(Received 7.30 p. m. November 10.)

November 7, 2 p. m. General Reyes leaves next Monday for Panama invested with full powers. He has telegraphed chiefs of the insurrection that his mission is to the interests of Isthmus. He wishes answer from you before leaving to the inquiry in my telegram of yesterday and wishes to know if the American commander will be ordered to cooperate with him and with new Panama Government to arrange peace and approval of the canal treaty, which will be accepted on condition that the integrity of Colombia be preserved. He has telegraphed President of Mexico to ask the Government of the United States and all the countries represented at the Pan-American conference to aid Colombia to preserve her integrity. The question of the approval of the treaty mentioned in my telegram of yesterday will be arranged in Panama.

He had gone from Bogota to Panama for the purpose of arranging it or trying to arrange it with this new Republic, the existence of which he acknowledged. He further says:

He asks that before taking definite action you will await his arrival there, and that the Government of the United States in the meantime preserve the neutrality and transit of the Isthmus and do not recognize the new Government. Great excitement here. Martial law has been declared in the Cauca and Panama. Answer.

BEAUPRÉ.

That was the view taken of it at Bogota. They recognized that a new republic had come into existence. They were fearful that the United States Government would enter into such arrangements as would recognize that new Government of Panama, and their fears were well founded.

If that is a true and correct summing up of the situation, it seems to me that all of the discussion that has taken place—and I say it without disrespect to any gentleman who has discussed the question—of hair-splitting distinctions as to the hour and minute in which this thing and that might be done has been needless. That is a matter which rests entirely in the discretion of the President of the United States, a coordinate branch of the Government, and over whom in that respect we have no power of review. It seems to me that it is a profitless thing to engage in a debate here as to what he might or might not do when we have no power, even though he erred, of correcting him. We can only sit here as carping critics of the acts of a coordinate branch of the Government. Suppose we differed with him as to the wisdom of an act, his wisdom is placed above ours by the Constitution of the United States, and it does not make any difference what the ninety men in this body may think of it.

Mr. President, that is about all I desire to say as to that phase of the question. The building of the canal that is to cross the Isthmus of Panama commences at a port on the Atlantic and extends to one on the Pacific. Every step between those ports is a part of the construction and maintenance of that canal; and it is a question of vast importance to us. We must protect it. We must first construct it. It is admitted on all sides that it will be constructed and that we will construct it. After it is constructed we must maintain it in times of peace and in times of war. We must, in the exercise of the statesmanship vested in us as a legislative body, anticipate the conditions that may and that most surely will arise in connection with that matter.

Across the mouth of the Caribbean Sea there is a chain of islands extending from the coast of South America to the coast of our Atlantic seaboard, owned and controlled by the strongest nation of the earth. There are Bermuda, the Bahamas, and Jamaica, and half of that chain of islands extending from Porto Rico to South America, owned by England, controlled absolutely by her, constituting picket posts in the ocean at our very door. These islands in the sea are but the picket posts of the nations that occupy the continents, and it behooves us at this time to consider our relations to this great enterprise from this standpoint, too.

We have one lone little island, the island of Porto Rico, about halfway between the port of New York and that of Panama, and this island is about the only picket post that we have upon this great frontier of the future commerce of our nation in time of peace and of our Navy in time of war.

If I may digress from the line of the discussion of the Panama question so far as to refer to a resolution which I had the privilege of offering in this body, which proposed that the proper steps should be taken by the appropriate Department of this Government for the acquisition of the island of Santo Domingo, it will accord with the general line of the suggestions that I am making.

Santo Domingo is the nearest piece of land in the ocean to-day to the Panama Canal that can, under any conditions, be obtained, or the control of which can be obtained by the United States Government. It is right at the doorway of the canal. We lost Cuba.

We should not have lost it, in my judgment; but we lost Cuba. Whatever its future relations with this Government may be I know not, and the future will have to take care of that question; but next beyond it lies this great island of Santo Domingo.

It seemed to be taken for granted, when the suggestion of acquiring that island was made, that it was more expansion; that it was more imperialism; that it was an effort to reach out and get new people and new territory. I had no such intention in offering the resolution. It was merely that this country might secure there, midway between our ports and this canal, a foothold that would enable us in times of war to protect not only the canal, but to protect our other little possession of Porto Rico, lying alongside of it.

Every ship that goes from the Atlantic seaboard through this canal must pass right through a little narrow channel between the island of Cuba and the island of Santo Domingo, so narrow that modern guns could cross it twice in their range. It was in view of those conditions that that suggestion was presented for the consideration of this body, and it is a part of the scheme and plan of building this interoceanic canal that we look to it at this time, not as a part of the measures under consideration by the Senate, but that it should be borne in mind as something we have got to take up and settle.

Aside from the commercial advantages—and I would not urge them; they are known; it is not a new question, but aside from the commercial advantages of its ownership—the dominion and control over that island is necessary to the security of the investment that we are about to make in the construction of the Panama Canal, and I commend it to the careful attention of the Senate at this time.

Mr. President, as has been often and appropriately suggested, the question as to the terms of this treaty or the character of it is not a question for discussion at this time or in this place; but the questions that led up to the negotiating of this treaty are a proper subject for consideration, and I believe that it has been of great benefit, not only to the enterprise of building this interoceanic canal, but of great benefit to the people of the country that they are advised by the very able discussion of this question which has taken place in this body of all the phases and features of the negotiation made by the Administration, which resulted in submitting the treaty to the Senate.

I feel that the question can be left with perfect safety in the hands in which the law has rested it; that the execution of this arrangement, if it shall be made and after it is made, may be left with safety to the conservative wisdom of the administration that will have charge of the execution of that, as of all other laws that we make.

Mr. STEWART. Mr. President, the allusion of the Senator from Idaho [Mr. HEYBURN] to Santo Domingo reminds me of a memorable struggle I witnessed in this Chamber during the first term of President Grant. With the approbation of officers of the Army and the Navy, who had just come out of the war, and on their recommendation, President Grant favored the acquisition of Santo Domingo. Delegates came here. Negotiations for a treaty were begun; but before making the treaty the President took the advice of prominent Senators. I will not designate who they were except to say that they were members of the Committee on Foreign Relations.

The treaty was negotiated. It was approved seemingly by everybody, but dissatisfaction with the Executive on the part of a few restless spirits in this body led to a discussion more bitter and more acrimonious than the discussion we have had on this occasion. Every conceivable evil motive was attributed to President Grant in his negotiation to acquire Santo Domingo.

The island would have cost us nothing; it was offered to us. The treaty was negotiated, and it was a fair one, but it was beaten by two or three votes—I do not remember exactly how many. It failed, however, to get the necessary two-thirds, although it came very near being ratified.

I do not suppose that there is anybody in the United States now, or has been since that time, who has not regretted that that treaty was rejected. It was done on account of the acrimonious feeling of opposition to President Grant by those who did not like him. He had not given them the appointments to office they wanted; he had not recognized them; he had not flattered some of them as they thought they ought to be flattered; he had not bowed down to some of them as they supposed they ought to be bowed down to. It was a mere personal fight on General Grant that lost Santo Domingo to the United States; and it was a sad fight for the United States.

Without implying that anybody here could be influenced by any such motives, I do not think great questions ought to be decided in such a manner. I should hate to see questions in which the Government is interested, in which the honor of the United States is concerned, decided on political grounds, particularly on spiteful grounds against the Executive. Even though we do not

like the Executive, we ought not to criticize and oppose acts in which the honor of the country is involved, and the opposition to the acquisition of Santo Domingo was one of those disgraceful acts committed here—not intentionally so, but growing out of passion, heat, and trivial matters which ought not to enter into the consideration of such a great question. It belittled the men connected with it, and when the history of those times is written those men will not shine as they otherwise might.

But I shall not debate the details of that controversy. I do not wish to rake up the past; I am willing that it shall now rest. I simply want to repeat that that proposition was defeated by an acrimonious personal controversy against President Grant, in which the parties making war on him were all wrong. We lost Santo Domingo, which we ought to have had, as it is the chain of defense, as was properly stated by the Senator from Idaho. I hope and believe that none of that feeling will enter into this question when we come to vote on the pending treaty. I believe every Senator here will vote on this treaty according to his judgment as to the result to be accomplished. The saying of a few things against the President will amount to nothing. That is all very well; but I believe in the final action we shall rise higher than Senators did at the time they rejected the Santo Domingo treaty. I am glad to see my Democratic friends recognizing the fact that the accomplishment of the great object which the United States wants to accomplish is paramount to any criticism that can be made of any administration.

DISTRICT COURT FOR OREGON.

Mr. MITCHELL. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3117) to expedite business in the district court of the United States for the district of Oregon. It is a short bill, reported unanimously by the Committee on the Judiciary.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that in case of the absence of the United States district judge for the district of Oregon from that district, or of his disability, a circuit judge of the United States of the circuit to which the district belongs may hold the district court and perform the duties of the district judge.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT TO MONDAY.

Mr. CULLOM. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-three minutes spent in executive session the doors were reopened, and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, February 8, 1904, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate February 5, 1904.

PENSION AGENT.

Andrew T. Wood, of Mount Sterling, Ky., to be pension agent at Louisville, Ky., vice Daniel R. Collier, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 5, 1904.

SECRETARY OF LEGATION.

William W. Russell, of Maryland, now secretary of the legation at Caracas, Venezuela, to be secretary of the legation of the United States at Panama, Panama.

PROMOTION IN THE NAVY.

Chaplain William T. Helms to have the rank of commander in the Navy from the 1st day of October, 1903.

POSTMASTERS.

CALIFORNIA.

Leonard S. Calkins to be postmaster at Nevada City, in the county of Nevada and State of California.

MISSISSIPPI.

Henry C. Majure to be postmaster at Newton, in the county of Newton and State of Mississippi.

NORTH CAROLINA.

Franklin A. Barkley to be postmaster at Lincolnton, in the county of Lincoln and State of North Carolina.

William J. McDaniel to be postmaster at Rutherfordton, in the county of Rutherford and State of North Carolina.

Robert S. Templeton to be postmaster at Mooresville, in the county of Iredell and State of North Carolina.

NEW JERSEY.

James W. Danser to be postmaster at Freehold, in the county of Monmouth and State of New Jersey.

NEW YORK.

Eugene P. Strong to be postmaster at Bay Shore, in the county of Suffolk and State of New York.

VERMONT.

John Metcalf to be postmaster at Fair Haven, in the county of Rutland and State of Vermont.

TREATY WITH HAITI.

The injunction of secrecy was removed February 5, 1904, from a naturalization treaty between the United States and the Republic of Haiti, signed at Washington on March 22, 1902.

The injunction of secrecy was removed February 5, 1904, from a treaty between the United States and Haiti, signed February 28, 1903, extending the time within which may be effected the exchange of ratifications of the treaty of naturalization between the two countries, signed March 22, 1902.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 5, 1904.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905. Pending that motion, Mr. Speaker, I would like to know if I can agree with the gentleman on the other side as to the length of general debate. How many hours does the gentleman from Virginia [Mr. LAMB] desire?

Mr. LAMB. I should think two hours on a side would be sufficient.

Mr. WADSWORTH. Suppose we agree on three hours. I have had no requests for time on this side. I think three hours are ample. I shall not take any time myself. Let us say not to exceed three hours in all.

Mr. LAMB. We would like to have two hours on this side.

Mr. WADSWORTH. Very well, not to exceed four hours, two of which will be under the control of the gentleman from Virginia.

Mr. LAMB. Very well.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent that general debate may be limited to four hours.

The SPEAKER. The gentleman from New York asks unanimous consent that general debate may be closed in four hours. Is there objection?

There was no objection.

The SPEAKER. The question now is on the motion of the gentleman from New York that the House resolve itself into the Committee of the Whole House for the consideration of the agricultural appropriation bill.

The question was taken, and the motion agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11825, the agricultural appropriation bill, with Mr. POWERS of Maine in the chair.

Mr. WADSWORTH. Mr. Chairman, I shall detain the committee but a few minutes in explaining a few of the salient points of the bill, the increases in salaries, etc. By reference to the report the committee will see that the bill of last year carried a total of \$5,478,160, and this year it carries \$5,711,240, an increase of \$233,080. In making this comparison I paid no attention to the emergency sums for the foot-and-mouth disease and the cotton-boll weevil, which were carried last year in the regular appropriation bill, and the cotton-boll weevil in the deficiency bill this year. The committee will also notice, on the bottom of the first page of the report, that the increase from 1897 to 1903 is from \$3,182,902 to \$5,711,240, an increase of almost \$3,000,000 in seven years. On the following page (page 2) the committee will see the increases by bureaus, and will notice that all along the line the increases have been generous and sufficient to keep the Department in what I call progressive motion.

There are but two increases in the statutory salaries, and these are not made permanent. Five hundred dollars has been added to the salary of the Chief of the Bureau of Animal Industry, and \$500 to the salary of the Chief of the Division of Entomology, but these increases are in the nature of additional compensation only

while the offices are held by the present incumbents. The precedent for that was established some years ago in the case of the First Assistant of the Interior Department. There have been no other increases of salaries. There have been some new places provided for on the statutory rolls, which, as we read the bill under the five-minute rule, I will explain.

Mr. PAYNE. Mr. Chairman, I would like to ask my colleague what salaries these gentlemen get now.

Mr. BURLESON. The Chief of the Division of Entomology gets \$2,750.

Mr. WADSWORTH. The Chief of the Bureau of Animal Industry gets \$4,500, and the Chief of the Division of Entomology gets \$2,750.

Mr. PAYNE. As I understand, the increase in each case is \$500.

Mr. WADSWORTH. Yes, sir; but this increase is to apply only to the present incumbents.

Mr. PAYNE. Are these gentlemen young and in good health?

Mr. WADSWORTH. They are in good, vigorous health. I hope both of them may last a good many years.

Mr. RICHARDSON of Alabama. What is the ground of this increase of salary in the Bureau of Chemistry to \$39,500? Has it any relation to the pure-food bill?

Mr. WADSWORTH. Yes; it is to enable the Secretary of Agriculture to further carry on investigations into adulterated products from abroad; also, to continue the cane-sirup investigations in Georgia, in addition to the general work of the Chemistry Bureau which it has been pursuing for years.

Mr. RICHARDSON of Alabama. Then the legislation in the pure-food bill does have some connection with this?

Mr. WADSWORTH. Oh, yes. That clause in the pure-food bill covering imports from foreign countries is taken bodily from the agricultural appropriation bill, word for word.

Mr. RICHARDSON of Alabama. And is it a fact in this connection that it will be necessary to employ additional chemical assistants?

Mr. WADSWORTH. Yes; we have provided for that. We have given an additional sum of money.

Now, Mr. Chairman, if there are any further questions to be asked, I will endeavor to answer them. If not, I will yield to the gentleman from Virginia [Mr. LAMB], reserving the balance of my time.

Mr. LAMB. I yield twenty minutes to the gentleman from Texas [Mr. SHEPPARD].

Mr. SHEPPARD. Mr. Chairman, I desire very briefly to address myself to a feature of the agricultural appropriation bill which has been reported by the able chairman of the Agricultural Committee for present consideration.

During the first session of the present Congress I introduced a resolution which had for its principal object the restoration of the original purpose of the Government distribution of seeds. The original aim of the seed distribution, Mr. Chairman, was undoubtedly laudable. The end in view was the ascertainment of the capacity of the soil. It was the desire of the Government to extend material assistance to the producing masses by enabling them to determine the utmost capabilities of the land which gave them nourishment and life.

In order to show the original purpose of the Government seed distribution, I desire to read that section of the law creating the Agricultural Department in 1862 and to show the purpose which inspired the lawmakers of the country in the inauguration of this custom. Section 527 of the Revised Statutes of 1878 reads as follows:

The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and uncommon to the country or such as can be made more profitable by frequent changes from one part of our country to another.

Now, it is a matter of common knowledge that the distribution of seeds by the Department of Agriculture has departed from this useful and admirable intention. In order to support this statement, I send to the Clerk's desk the report of the Secretary of Agriculture and call attention to that paragraph which deals with the seed distribution. I ask the attention of the House to the language of the Secretary in comparison with the language of the original law, in order to show how completely the present distribution of seeds has departed from the original intention. I ask the Clerk to read.

The Clerk read as follows:

With regard to the securing and distributing of miscellaneous garden and flower seed, the fact remains that this work does not accomplish the ends for which the law was originally framed. There are collected, put up, and distributed now, on Congressional orders, nearly 40,000,000 packets of miscellaneous vegetable and flower seeds each year. These seeds are the best that can be obtained in the market, but from the fact that large numbers of packets are wanted, the seed obtained can be of standard sorts only, such as are to be found everywhere for sale in the open market. As there is very practical object to be gained in distributing this kind of seed, it seems very desirable that some change be made. To this end it would seem wise to limit our work entirely to the securing and distributing of seeds, plants, etc., of

new and rare sorts. There is still much to be done in the way of securing seeds, plants, etc., of this kind from abroad, but still more to be accomplished in careful investigations of our own possibilities in this direction. There are many valuable plants scattered all over this country which are still little known outside of their respective localities. These should be collected, tested, and distributed. There are also great possibilities of improving agricultural industries by distributing specially bred seeds and plants.

Mr. SHEPPARD. Now, Mr. Chairman, the report of the Secretary of Agriculture reveals a condition which demands immediate remedy. The Government of the United States has entered the open markets of the country for the purchase of nearly 40,000,000 packets of standard seeds. These seeds are of the commonest varieties. They are distributed at enormous expense throughout the country, regardless of the character of the soil, the nature of the climate, and the occupation of the inhabitants. They subserve no scientific purpose. They add nothing to the existing knowledge of the soil. When we are told by the Secretary that vast benefit may be accomplished through the distribution of new and untried seeds and plants of native and of foreign origin, it seems almost a crime against the agricultural interests of the country that the useless and wasteful system of the present should be permitted to continue.

I shall dismiss with the contempt it deserves the intimation that the present system is a valuable campaign adjunct and that the seeds are sown that they may flower into myriads of votes. Such an intimation is a reflection on the integrity of Congressmen and the intelligence of their constituencies. I resent the insinuation that any Member of the House owes his seat to the senseless method now in operation.

The American people understand and condemn this practice. Not a farmer is deceived by this pretended kindness. When the regular distribution is made there are no other places in the United States where these packages of seed—these Government chromos in pink and blue—are objects of greater merriment and keener ridicule than the rural post-offices around which the people gather to receive the annual dispensation of free garden seed. When the American Congress shall recognize the fact that there is as much intelligence among the people, as much ability to discover fraud, as within these storied walls, then the standard of American statesmanship will have been infinitely uplifted.

The system is erroneous in principle. It is violative of the proper functions of government; it involves a dangerous philosophy. There is no greater reason for the dissemination of standard seed, bought in the open markets and incapable of developing the possibilities of the soil, than for the gratuitous distribution of any other commodity of ordinary purchase and sale. I desire at this point to present a letter from a constituent which illuminates this proposition:

DEAR SIR: I wish you would send me the seed and other things which I mention below: One peck of some good early corn, 1 bushel of cotton seed, and some good sorghum seed, and a union suit of clothes—a coat 38 in size, and pants 33-34—and anything else you are mind to send me. I am in need of all these things, and they will be gladly received.

[Laughter.]

Now, this gentleman had as complete a right to expect from the United States a suit of clothes, "or anything else," as he expresses it, as the seeds of standard kind. [Applause.]

It is almost universally admitted that the present custom should be changed. It can be made of unlimited value to the American farmer. It has degenerated into a miserable farce, obnoxious alike to Congress and to the people. Let us end it now. If the immense sums now expended for the mere donation of common seed to a favored few could be utilized in the manner so emphatically indicated and so justly desired by the Secretary of Agriculture, the American farmer and the American nation would profit inconceivably. It is a shameful condition of affairs that the agricultural masses, for whom fewer appropriations are made than for any other element of our citizenship, and who contribute most largely to the support of the Government, should be made the profitless beneficiaries of such empty and unpardonable legislation.

With no desire to occupy the rôle of an iconoclast or the attitude of a reformer, I shall offer an amendment at the proper time to the present bill, embodying the change which justice commends and which the Department of Agriculture will indorse. I trust that the amendment will be adopted. For if the current custom of indiscriminate distribution shall indefinitely continue, if this Congressional comedy shall drift into a continuous performance, we shall ultimately be driven to the mournful admission that we are not statesmen, but seedsmen; and it will be in order for some distinguished seedsmen, some sainted hero of a score of memorable distributions, some legislative knight upon whose shield is blazoned a radish in its glory or a turnip in repose, to rise in his place with becoming gravity and move, Mr. Chairman, that the American eagle be taken from the mace and supplanted by a package of vegetable seed as the supreme emblem of the genius, the character, and the principal occupation of American statesmanship. [Laughter and applause.]

The following poem taken from a weekly newspaper in my district will indicate the trend of public sentiment on this question:

THE CONGRESSIONAL GARDEN SEEDS.

The time is at hand when I trustfully look
(How my mind on the prospect feeds)
When the mail comes in for a package or two
Of Congressional garden seeds.
'Tis strange how our "Member" my name recalls,
How he knows my desires and my needs!
'Twould glad him to notice my joy when I get
My Congressional garden seeds.
There's lettuce and onions that tardily sprout,
And "punkins" of several breeds,
And "pa'snips"—I'd scorn 'em except for the fact
They're Congressional garden seeds.
The soil I dig deep, I plant 'em with care,
Perspiration from every pore bleeds,
Then I "shoo" out the hens lest they bring up too soon
My Congressional garden seeds.
Each day to my garden with zeal I repair
And struggle with clods and with weeds,
Till a few straggling sprouts show the germinant strength
Of Congressional garden seeds.
All summer I labor and patiently wait,
Fighting slugs, borers, bugs, centipedes;
And I prune, and I water, I spray the weak shoots
Of Congressional garden seeds.
Though I sing as I gaze at my blistered hands
And my back for a short respite pleads,
Yet for "souvenirs" vainly I look; then I cuss
The Congressional garden seeds.
—Arnold C. Davis in Mount Pleasant (Tex.) Eagle.

[Laughter and applause.]

Mr. CANDLER. I will ask the gentleman if he will not please insert with his remarks the amendment which he proposes to offer in order that we may be advised as to what the provisions of it will be?

Mr. SHEPPARD. Yes; I shall be pleased to do so if we do not reach the matter to-day.

I want to say that this amendment will improve the present distribution of seeds; that it will carry out the original purpose of the law, and that it will provide for the distribution of new, uncommon, and untried seeds, for their special breeding, and for the better development of the agricultural possibilities of the country.

Mr. CANDLER. The gentleman does not wish to be understood, then, as opposing the distribution of seeds to the people?

Mr. SHEPPARD. I am opposed to certain features of the present system.

Mr. CANDLER. You simply want to change the system. You still want the people to have the seeds.

Mr. SHEPPARD. You have stated my position correctly.

Mr. LAMB. I yield thirty minutes to the gentleman from California [Mr. BELL].

Mr. BELL of California. Mr. Chairman, I expect to devote the time that has been assigned to me for debate on this bill to the discussion of an amendment which I intend to propose to the bill at the proper time. I shall direct all my remarks to matters that are really germane to this bill. I believe that every Member of this House recognizes the importance of this measure. I believe that every Member of this House is ready to admit that agriculture is the foundation and the strength of the Republic, and that there is no department of this Government with which we should deal with so much generosity as the Department of Agriculture. In suggesting an amendment to this bill, I do not intend thereby to cast any reflection upon the honorable committee that has had this measure under consideration; but I believe that I have personal knowledge of facts and circumstances which, if they had been fully presented to the committee, would have resulted in the change that I now seek to make.

Mr. Chairman, it is my intention to offer an amendment to this bill, upon page 18 thereof, in line 17, inserting the words "forty-seven thousand" instead of "forty thousand dollars" for the purpose of carrying on the pomological investigation of the Department of Agriculture; and further providing that the sum of \$10,000, instead of \$3,000, as now provided by the bill, may be used by the Department for the purpose of cooperating with the experiment station of California in the eradication of the disease of the grape known as the "Anaheim disease."

I do not want to place myself in the position of advocating only the interests of my State, the State of California, for I believe that this is a subject that interests every State in this Union in which fruit is grown or in which the grape is cultivated. While it is true that in California we raise more grapes and make more wine than all of the other States of this Union combined, yet it is a subject that will appeal to every Member upon the floor of this House.

Now, what do we want to do? The Department of Agriculture two years ago went into the State of California and established experimental vineyards for the purpose of discovering some prac-

ticable method of dealing with the phylloxera and Anaheim disease, which have wrought untold ruin and untold suffering upon the people of my State. In that State they have established but two vineyards. They have done splendid work, but that is not enough. The United States viticulturist in the employment of the Department of Agriculture has recently visited California and spent several months in the study of this question, and has made preliminary arrangements for the establishment of seven more experimental stations in that State in order that the great problem might be properly and amply dealt with.

Now, the Department of Agriculture comes to you and says that this is a necessary work, that this work should be carried on in the interest not only of the people of that great State, but in the interest of the entire country. There is no reason why this House should be at all penurious or overeconomical in allowing the Department to carry on this work.

Now, gentlemen, a great many of you do not represent vineyard districts, but I presume that every man on this floor knows something about the wine industry; but I want to tell you that you do not realize the importance of the wine industry of the State of California. The value of the vineyards in that State to-day is estimated at \$38,000,000. There is to-day \$100,000,000 invested in the business in that State. In 1885 a disease took a deadly hold on the vineyards of that State, known as the "phylloxera," and if you gentlemen had lived in that State as I do, if you had witnessed the ruin and destruction that was wrought by that dread disease, you would have no hesitation in giving the money that we now ask for. Now, in the county of Napa, where I have made my home for twenty years, the vineyards were simply wiped out. Those people who had all they possessed destroyed before they could hardly realize it, those men who had built comfortable homes upon lands that they owned, simply became tenants of the banks who were compelled to foreclose their liens. In the counties of Napa and Sonoma, where some six or eight million gallons of wine had been produced annually, the vineyards were simply swept out of existence, and these men who had gone there and built up their little vineyards, hoping in a few years to get their reward, were suddenly left penniless.

Now, the phylloxera was finally met by resistant vines, although there were ten years when that country was reduced almost to poverty in every vineyard section of the State. But no sooner had they planted their resistant stock when another disease came upon the vineyards of California, starting in the southern part of that State, and known as the "Anaheim disease." You gentlemen come in here with tales about the boll weevil and you appeal to us for help, and I am heartily glad that you got what you wanted, but I submit that the boll weevil in the cotton of the South was no worse than the phylloxera and the Anaheim disease in the State of California; and if this great Government of ours can come to your relief, if it can say we will reach out and help you, we will give you a quarter of a million dollars to deal with this great destroyer that is attacking your fields, are you going to say that this State of mine, when it comes to you and asks merely for the sum of \$7,000, shall not receive the aid that has been given freely and generously to other great industries?

You do not know anything about California. I wish I could take you to that State and show you what we have. Why, the report of the United States viticulturist states there is an area in California that is peculiarly adapted to the cultivation of the grape larger than the entire area of France, and yet in the Republic of France they are to-day producing 1,500,000,000 gallons of wine each year, whereas in the State of California we are producing but 23,000,000 gallons.

Now, if you desire to build up that great Commonwealth, if you desire to build up agriculture in the Far West, if you want to give the vineyards of California a fair chance to thrive and to flourish and to grow, if you want that State to become the peer of sunny France, that leads to-day in the production of wine, I say you can well afford to grant these people the few dollars that they now ask.

Go out into the West! Ask yourself as you look out upon the great fertile prairies that have surrendered to the genius of man and have been converted to the good and welfare of this great people—go out into my own State, into all these great Commonwealths that have been carved from that mighty West, and I ask you what has made them great? What has placed it in the power of the farmers west of the Mississippi to pay off their mortgages and deposit their earnings and profits in the local banks and even loan to Wall street? It is agriculture, successful agriculture, good crops.

Do you people in the East think you would prosper as you now prosper; do you think that this country would be as wealthy in the East if it were not for the great domain that lies beyond the father of waters, where its fields have made it what it is? Now, I say that my State, where we stand first in the production of grapes, when we come to you and tell you that these things are

needed, when we ask for but a small sum, when the Secretary of Agriculture, who has given attention to these facts, who has investigated the cost of carrying on this work, when this Department tells you that this sum is necessary to carry on this work successfully, why is it that it can not be given to us? The Secretary placed his estimate with the committee at \$47,000 for carrying on all the pomological investigations, including every kind of fruit, including all viticultural interests, and that estimate has been cut down to \$10,000. I have no complaint to lodge against the committee, but I think they were not aware of what they were doing to my State when they refused to give the Secretary of Agriculture the money that is absolutely necessary to carry on this work.

As I have already said, the two stations we have there already are doing good work; everybody recognizes that fact. This United States viticulturist has paved the way for seven more. Are you going to say that his work shall be for naught? Are you going to say that we must put this off for one year? I say not. Give them the paltry sum they ask; let there be in the State of California nine experiment stations. The two largest are only 10 acres each and the other seven will average 3 or 4 acres, and it is only with these experimental vineyards that these diseases can be properly dealt with. You know that private enterprise will not take hold of this subject. You have already had experience with that; you know that men as individuals, private citizens, will not take up a great public work like that; it requires governmental aid.

The work of the United States is done in conjunction with the work of the State of California. They are laboring together, helping each other, cooperating in a matter of State and national interest. Now, gentlemen, when the time comes, I want to offer this amendment, and I hope the Committee on Agriculture will not object to it. It is a small matter indeed, but it is necessary. The Department thinks it is necessary, our people think it is necessary, and why should it not be granted? We are going along trying to solve this great problem. As I say, if I could but fasten on your minds the losses that have been sustained by the vineyards of California I believe you would unanimously grant all we desire.

Mr. BURLESON. May I ask the gentleman a question?

Mr. BELL of California. Certainly.

Mr. BURLESON. Is it not a fact that a complete remedy for phylloxera has been discovered in France?

Mr. BELL of California. Yes; and we have been planting resistant vines and endeavoring to graft onto the resistant stocks and thus get rid of the phylloxera.

Mr. BURLESON. The amount carried in this bill was partly intended for the experiments about which the gentleman from California has been talking, and what the committee refused was the amount for the experimental shipments in fruit and investigations affecting the fruit trade here and abroad. Such experiments are now being conducted by the fruit growers in the East on their own account and much more satisfactorily than the Government can make them.

Mr. BELL of California. That is partially true. The Secretary of Agriculture asked for \$5,000 for the purpose of making his investigation of the Anaheim disease in the State of California. You have reduced him to \$3,000. I say if you can not give us the \$7,000, give us the \$5,000.

Mr. BURLESON. Is it not a fact that the amount asked for experimenting with the disease has partly been allowed, but the amount that was asked for the purpose of investigating with reference to shipments of fruit and investigations of market conditions affecting the fruit trade here and abroad which are now being carried on by large dealers of fruit on their own account in the East and New England States has been refused?

Mr. BELL of California. I think the gentleman is slightly mistaken. I have looked at the estimates of the Department. I wish to settle it now, because the Secretary has asked for \$5,000 and you have allowed him \$3,000.

Mr. BURLESON. He asked for an allowance of \$10,000, and they have allowed him an increase of \$3,000. As a matter of fact, as I understand it—I may be mistaken—the allowance has been given him for conducting all the experiments relating to the diseases of grape vines in California of which you have spoken. The amount denied him was for the purpose of conducting investigations and experiments with reference to the shipment of fruit, these investigations and experiments being conducted now by the shippers of fruit in New York and New England on their own account. They say that the experiments by the Agricultural Department have been of no particular benefit to them on this particular line. For these reasons the committee refused the increase asked for this purpose.

Mr. BELL of California. Will the gentleman read the estimate of the Secretary of Agriculture for dealing with the Anaheim

disease? I have just come from the committee room, and I found that it was \$5,000. I have talked with Mr. George Hussman, and he says that the work can not be done for less than \$10,000.

Mr. BURLESON. How long have the scientists of the Agricultural Department been investigating the disease of the grapevine referred to by the gentleman?

Mr. BELL of California. For the last two years.

Mr. BURLESON. If that is so, the amount carried in the bill last year provides for the investigations and experiments the gentleman desires. His desires can be met out of the lump sum even without any increase. I mean out of the \$37,000 carried in the bill last year.

Mr. BELL of California. Is it not a fact that the Department of Agriculture estimated \$5,000 for these experiments this year?

Mr. BURLESON. That may be; but for the experiments and investigation last year money was appropriated and is carried in the \$37,000, and in addition to that sum we now give \$3,000.

Mr. BELL of California. I have my information from the United States viticulturist, and I talked with Doctor Galloway this morning and found he had asked for \$5,000 for the purpose of carrying on these investigations. The committee gave him the discretion to expend \$3,000. He may have taken into consideration that he had some moneys that he could use, which, added to the \$5,000, would be sufficient; but he has put his estimate into your committee at \$5,000.

Mr. BURLESON. I think I am safe in assuring the gentleman that there will be no curtailment of these experiments.

Mr. BELL of California. I know that the United States viticulturist believes that the work can not be conducted for less than \$10,000. However, as to that point I am perfectly willing to take the estimate of the Department of Agriculture.

Now, I have just one word more to say, and that is this: I say that for the treatment of this one disease, this Anaheim disease, we should receive at least the amount that the Secretary of Agriculture has estimated. I am willing to rely upon the estimate that is in the hands of the committee. That amount is \$5,000, as I read it this morning, and we should certainly have that amount to deal with this question; but in asking for the entire \$7,000 additional I say we are not asking for anything unfair or unjust; that our industry warrants it. California never yet has come on her knees to the United States Congress and asked for large appropriations. She does not propose to, but if you protect an industry in one section of the country I believe that you should grant some measure of protection to an industry that is almost as important, at least as important to the people of that State as other industries are to other sections of this Union. I think that the bill should be amended, and at the proper time I shall offer that amendment.

Mr. LAMB. Mr. Chairman, I yield twenty minutes to the gentleman from Michigan [Mr. LUCKING].

Mr. LUCKING. Mr. Chairman and gentlemen of the committee, if I can have your intelligent ear for about five or six minutes on a purely business proposition connected with this bill, I shall consider it a very great favor indeed. The Agricultural Department is now engaged in manufacturing and giving away in unlimited quantities to all who may ask for it a certain preparation known as "blackleg vaccine," which is used for the purpose of curing or preventing the disease known as the "blackleg" among animals. In my district, in the city of Detroit, Mich., is located a house which has expended about \$350,000 in getting ready to manufacture and put upon the market this preparation. There are other establishments of the same kind throughout the United States. This house is known as Parke, Davis & Co., and its preparations are sold all over the world. It is the largest house engaged in the manufacture of pharmaceutical products of standard kinds in the world. It employs 275 traveling salesmen, and employs in its plant over 2,000 people.

The Agricultural Department is now manufacturing this blackleg vaccine and giving it away, as I say, in unlimited quantities to any person who may apply for it. Thousands of doses are given away to single individuals, firms, and corporations. Now, it is not my purpose to ask that this business be stopped entirely, but I am going to offer an amendment to this bill limiting the number of doses that shall be given away to any one person, firm, or corporation to 100. The abuse of this is so great as to destroy entirely the business of this concern which has prepared itself at great expense to do the business. The abuse is principally in the far Western States, where the wealthy ranchmen, who are well able to pay for this vaccine to private individuals who are engaged in the business, get from this Bureau all of this vaccine that they choose to ask for. Now, I submit that it is not right that the Government should engage in this business and destroy private enterprise in that direction, and that there is no more justice in the Department manufacturing and giving away in unlimited quantities this product than there would be to do the

same thing with quinine or smallpox vaccine, boots and shoes, or anything else, for that matter. The business was started in the beginning in the Bureau on the idea that it was experimental.

Mr. BURLESON. Right on that point, will the gentleman yield for a moment?

Mr. LUCKING. Yes.

Mr. BURLESON. Is it not a fact that the issuance of this blackleg vaccine by the Department is upon the idea that there is a chance to stamp out blackleg altogether, and that then there will be no necessity for Parke, Davis & Co. or any other firm manufacturing it, or the Government either? If the gentleman will permit me a moment more of his time, I would like to read an extract from the statement of the Secretary made before the Agricultural Committee while they were considering this bill.

Mr. LUCKING. Very well.

Mr. BURLESON. Secretary Wilson says:

Blackleg is a disease that affects young animals, mostly calves; sometimes yearlings, and, very rarely, 2 year olds. The people had great difficulty in getting serum that was powerful enough to treat it. We make it here for probably a tenth of a cent a dose; and we send out, say, a million and a half doses a year, free to the people, and the result is that wherever we send it blackleg is disappearing. We are pushing this work with the theory that if we can prevent blackleg it will die out.

In that same connection he says that blackleg vaccine is made in the laboratories of the Bureau of Animal Industry, which would be maintained anyway, and that, too, at a trifling cost.

Mr. LUCKING. I understand. That is the claim of the Bureau and I was going to state what their claim was when the gentleman interrupted me. I understand that the claim can not be supported. They have made the same claim for years past, and it is my information that blackleg is a disease which ramifies and which will continue from time to time, the same as smallpox or any other disease, and that there is no justification for the position which the Bureau takes in that direction. I submit that it is not fair to private enterprise and that it is not within the legitimate functions of government. In this connection I desire to have read from the Clerk's desk an editorial from the Oil, Paint, and Drug Reporter of the United States, which I am informed is the leading journal in that line. I ask the attention of the committee to that, and at the proper time I shall move to make the amendment suggested.

Mr. BURLESON. Before the gentleman takes his seat I should like to finish the reading of this statement of the Secretary of Agriculture.

Mr. LUCKING. The gentleman will undoubtedly have all the time he wants for any remarks on this bill.

Mr. BURLESON. I want to read this statement now in connection with the gentleman's remarks, so that the whole matter may be thoroughly understood by the House.

Mr. LUCKING. All right.

Mr. BURLESON. Secretary Wilson further says:

We are pushing this work with the theory that if we can prevent blackleg it will die out.

It is the same with rabies. If you muzzle every dog in the District of Columbia and allow no other dog to come in rabies will not come in. You could not do that. The love for the pup is stronger than the love for man, woman, or child in the District of Columbia, and dogs can not be muzzled here. That is the theory on which we are trying to experiment with blackleg, and we are succeeding. The day should come when there will not be a particle of blackleg in the United States.

Mr. BURLESON. As I understand it, Mr. Secretary, these laboratories are maintained by the Bureau of Animal Industry and its manufacture costs a mere trifle.

Secretary WILSON. Yes. Of course we are interfering with the trade, and if we destroy blackleg in cattle we will destroy their trade in blackleg serum altogether. The economic question is whether we should maintain blackleg for the benefit of these manufacturers.

I hope for these reasons, so well stated by the Secretary of Agriculture, that the gentleman will not insist on his amendment.

Mr. LUCKING. That has been the contention of the Bureau for several years past. They could make the same statement, "our theory is so and so," with reference to smallpox or any other disease which springs up from time to time. The question is simply whether we shall maintain that kind of business in a Government bureau. It does not seem to me that it is proper.

Mr. HAY. May I ask the gentleman a question?

Mr. LUCKING. Yes, sir.

Mr. HAY. The gentleman, I believe, represents the city of Detroit?

Mr. LUCKING. Yes, sir; my district is wholly in that city.

Mr. HAY. Then let me ask the gentleman how much has been spent by the Government at the city of Detroit for rivers and harbors within the last ten years?

Mr. LUCKING. I do not know that anything has been spent inside the city limits of Detroit.

Mr. HAY. I mean, of course, for the benefit of that city.

Mr. LUCKING. For the waterways of the Great Lakes I can not tell how much has been spent—perhaps the gentleman can—a great many thousands, no doubt—perhaps millions—for the benefit of a commerce which is the wonder of the world and the special pride of all Americans to-day.

Mr. STEPHENS of Texas. Is not the cattle industry the pride of all Americans? Is not the beef industry of the United States its chief industry?

Mr. LUCKING. It is one of them.

Mr. STEPHENS of Texas. Then it is entitled to as much protection as any other industry.

Mr. LUCKING. Within reasonable limits we have not any objection. We think the quantity of this article distributed by the Department should not exceed 100 doses to any one person, firm, or corporation. We believe that an abuse has grown up in the Department in connection with this matter.

I ask the Clerk to read what I have sent to the desk.

The Clerk read as follows:

GOVERNMENT MANUFACTURE OF SERUMS.

The annual report of the Chief of the Bureau of Animal Industry of the Department of Agriculture makes some interesting disclosures which lead to the conviction that the Department officials were not sincere in their original announcement that the manufacture and distribution of vaccines and serums would be confined to the scientific demonstration of the value of these remedial agents, and that the commercial production and distribution would be left to private establishments. It appears that instead of leaving the production and distribution to legitimate manufacturing firms the Bureau of Animal Industry has steadily increased the manufacture and free distribution of these products.

In 1892 the Government factory produced and distributed over 1,688,000 doses of blackleg vaccine virus, while during the past fiscal year the amount was increased to over 1,729,000 doses, and this despite the fact that it had been shown that not only many wealthy ranchmen had been supplied with Government vaccine, although amply able to pay for the commercial product, but that ranchers' supply establishments and many veterinary surgeons had been obtaining the Government product free of cost and sold it to cattle owners. The Chief of the Bureau naively remarks that the demand for the preventive remedy continues to increase, and consequently he asks for an increase in the appropriation for the increased manufacture and free distribution of this product. In other words, the Government is asked to increase the appropriation in order to enable the Bureau of Animal Industry to increase its competition with legitimate manufacturers and supply its products to a larger number of cattle owners and to enable supply concerns and veterinarians to reap a richer harvest in selling the product which the Government furnishes free of cost.

This is a case of competition the legitimate manufacturers can not contend against, and should receive the most emphatic condemnation of the lawmakers at Washington. The Government has demonstrated the value of these preventive remedies, and should now leave the manufacture and sale to those who conduct pathological laboratories as commercial enterprises. There is no need for the Government to enter into competition with private enterprise of its citizens in the manufacture of the serums, vaccines, and viruses, as the various private laboratories are able to supply all requirements, and at prices to those requiring them which are neither excessive nor burdensome.

The specious plea that the production at the public expense and free distribution is to benefit only those unable to benefit by these remedial agents does not hold good, and, as we have before shown, these supplies are diverted from their legitimate purpose and the needy are not benefited. As well might the Government engage in the manufacture of quinine or, in fact, almost any commercial product. Determined effort should be made to prevent Congress increasing the appropriation by giving the legislators full information of the working of the Government serum factory and the abuse of the Government's generosity, as well as of the unfair competition with legitimate manufacturers, who are taxed to support this unjust competition.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CURRIER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4122. An act to direct the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and for other purposes; and

S. 3916. An act to amend section 2699 of the Revised Statutes, relating to compensation of collectors of customs.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 79. Joint resolution for the transportation of Porto Rican teachers to the United States and return.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. LAMB. I yield fifteen minutes to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER. Mr. Chairman, I had not expected to submit any remarks at this time in reference to the bill under consideration, and there would be no necessity for doing so but for the speech of the gentleman from Texas [Mr. SHEPPARD], to whom we listened a moment ago, in reference to the seed distribution which is yearly made by the Agricultural Department. Somehow or other I feel that whenever anybody strikes a blow at the distribution of the seeds which go to the farmers and laboring men of this country and to the people generally something should be said in reply to any suggestion proposing to reduce this distribution.

The gentleman suggested that the amendment which he proposes to offer would change the system; but he added that he did not desire to be understood as saying that he was opposed to the distribution of valuable, rare, and uncommon seeds to the people, but that he was opposed to the distribution of standard seeds, like the bulk of those which are distributed under the present system.

I am glad that the gentleman expressed himself as favorable to

the distribution of some seed and that he would not favor the discontinuance of seed entirely. If there is any system which will advance this distribution in any way and increase rather than decrease the quantity of seed, I as a friend to the seed distribution would not oppose it, but I would want to be absolutely sure that it did not curtail the distribution now being made under the present law by present methods.

The farmers of this country get less than any other class of people from the Government in return for the expenditures which they are required to make. While we are making very large appropriations for all the other Departments of the Government—and I am opposed to no necessary expenditure to any Department which is for the good of the country or for the advancement of its interests or welfare—yet, while we make these large appropriations for the other Departments of the National Government—very large in proportion to the appropriations made for the Agricultural Department—it seems to me that instead of talking about cutting off the few benefits that the farmers receive at the hands of the Government through this most beneficent Department, we should enlarge the operations of that Department; and instead of reducing the distribution of seeds to the people, I would rather favor seeing it enlarged to such an extent that the requests which come up from all over the country might be readily met by the representatives of the people here on this floor.

The gentleman read a letter which he had received from a constituent of his, in which the writer asked him to send not only some seeds, but also said that he wanted a suit of clothes and one thing or another—I do not at this time remember all the items. Now, while the gentleman read that letter from some constituent who thought the Government was prepared not only to furnish seeds to the people, but was willing and anxious, through its Representatives—of whom there are none more obliging than the gentleman himself—to furnish them with clothes, he did not read to us a single letter or request which he had received from the honest, patriotic farmers of this country, asking in earnestness and seriously that he should send them the seeds to which they are entitled and which they desire to use for the experiments contemplated and intended by the Agricultural Department.

Why, Mr. Chairman, only a moment ago I put my hand in my pocket and found eight or ten letters which I received only this morning. Among them are four requests for seeds, and I dare say the gentleman has received something of the same kind this morning in his mail; if he has not, he will get such letters before the day is passed, and I venture to say he is not only receiving such requests to-day, but almost every day. The people of his district, like the people of other districts, are asking for seed provided for in the last appropriation, an appropriation just like this appropriation.

Here is one I have just received:

ABERDEEN, MISS., February 3, 1904.

Hon. E. S. CANDLER, Jr., Washington, D. C.

DEAR SIR: Please send me some garden seeds.

A simple request, it is true, but one that is entitled to consideration at my hands and at the hands of the Government of the United States.

Here is another one:

FOLLY, LEE COUNTY, MISS., February 3, 1904.

Please send me some garden seeds. I will appreciate it very much if you will also send me a package of flower seeds.

He not only wants the benefits to be derived from the garden seeds, but wants the flower seeds to beautify his home and make it more attractive for the good wife who presides therein.

Here is another one:

STURGIS, MISS., February 3, 1904.

Please send me some cotton seed, and I will appreciate it also if you will send me a package of garden seeds.

Here is another one:

VERONA, MISS., February 3, 1904.

Please send me some flower seed.

A modest request from a most excellent lady. God bless the ladies! They are God's noblest, sweetest, and best gift to man, and I am always delighted to hear from them and to comply with their requests when possible. [Applause.]

I simply read these four, which I find in this small package of letters that I received only a moment ago, to demonstrate the fact that the people of this country want these seeds sent to them, and when we send them we are but responding to the popular demand on the part of the people throughout the United States of America, for I dare say practically every Member of Congress receives similar requests. And if there is any class of people in this country to whose request we ought to respond and to whom we ought always to be glad to listen, it is the farmers who till the soil and who bring about the balance of trade in this country in our favor as against the world. [Applause.]

Mr. BARTLETT. Seventy-one per cent of the foreign export trade of this country in the past year consisted of farm products.

Mr. HILL of Mississippi. Does not this bill provide that the Secretary of Agriculture shall distribute seeds which are fit for the climate and locality in which they are to be planted? And does he not have that requirement in view in making the distribution?

Mr. CANDLER. It does; and it provides that the Agricultural Department shall provide fit and suitable seed for the different sections and localities of the country and distribute exactly the character of seeds which I understand the gentleman from Texas proposes to provide for in his amendment, as well as the varieties now being distributed, which he calls standard seed and which he desires to discontinue and stop.

The bill says:

For the purchase, propagation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants.

And further provides—

That the Secretary of Agriculture shall, in the purchase, testing, and distribution of such seeds, get the best seeds he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned and in which same are to be distributed, and such seeds shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States.

I thank my colleague, Mr. HILL, for that suggestion. And there is no better way, so far as that is concerned, for testing the fitness of the different varieties of seeds for the soil of this country throughout the length and breadth of it than by making an actual test with the seeds themselves by putting them into the soil. You may theorize about it, you may have your ideas, and you may come to your conclusions, but when the seed is planted and you have an actual opportunity to see the product with your own eyes and to enjoy the fruits that result from it, you no longer have to theorize, but you have a real test. Then you can see absolutely and beyond question the benefits to be derived from it and the soil that is suitable to the seed that you have planted therein.

Now, as I stated a moment ago, if there are any people in the United States of America to whom we ought to listen, it is the farmers of this broad land, and I suppose that if I had asked the gentleman from Texas [Mr. SHEPPARD] the question when he was upon the floor—and if I am not correct he can correct me—how many seeds he had sent out to his district, I would not be surprised if he had responded that he sent out his quota allowed to him under the general distribution, and that in addition thereto he went out and in order to supply the requests from his people he secured by his persuasive powers—which are great—all he could of our very kind friends from the cities who had any to spare, and then possibly applied to the Secretary of Agriculture to get an additional amount to send to his constituents.

Mr. SHEPPARD. I will say to the gentleman that I have not used all these methods.

Mr. CANDLER. Well, I have; and it has given me great pleasure to send to my constituents my full quota under the general distribution, and to secure an additional amount, so as to supply promptly the personal requests which have come to me since my quota went out.

Mr. BURLESON. Is that an answer to the proposition of the gentleman from Texas that this practice ought to be abolished?

Mr. CANDLER. Yes; for it shows that the people want these seeds—and in my judgment they ought to have them—and therefore I contend that the practice ought not to be abolished.

Mr. SHEPPARD. I admire the persistence of the distinguished gentleman from Mississippi—

Mr. CANDLER. I did not understand the remark of the gentleman.

Mr. SHEPPARD. I admire the spirit and the purpose of the argument of the distinguished gentleman from Mississippi, and it in no way conflicts with the argument which I have made.

Mr. CANDLER. Is that an answer to my suggestion that the people want the seed sent out and that the distribution each year of seed as heretofore should not be discontinued or abolished?

Mr. SHEPPARD. When I first came to Congress I used almost every possible method of getting as many seeds as I could, and it seemed to me that that was the principal occupation of a new Member.

Mr. CANDLER. That is one of his occupations. You have not lost your ardor in that respect, have you?

Mr. SHEPPARD. No, indeed; but it was through that experience that I began to see the defects of the present system.

Mr. CANDLER. Have you not had numbers and numbers of personal requests for seeds after you have sent out all that you had?

Mr. SHEPPARD. Yes, quite a number; and now I will ask you if you ever received a request from any constituent of yours for articles of clothing or anything of the kind?

Mr. CANDLER. Oh, yes; I received a letter from one gentleman requesting a hat for himself [laughter] and also one for his wife—a man in Mississippi never forgets his wife [great laughter];

but the fact that your constituent asked for some clothes and mine asked for two hats is no reason to abolish the seed distribution or to change the system now in practice.

Now, then, Mr. Chairman, proceeding a little further, because I had just remarked that if there was any class of people in the United States to whom we should listen it was the farmer. Why? Because we find from the report of the Secretary of Agriculture that but for the farmers of the United States during the past year the balance of trade would have been against us and that we are indebted for our progress in the markets of foreign countries absolutely to the farmers of the United States of America. You talk to me about protection that is given to the manufacturers and the protection that is given to the various industries throughout the United States; they have never been able to protect us against the foreign powers or to keep the balance of trade in our favor.

Mr. HAMLIN. Is it not true that the farmers of this country, who have kept the balance of trade in favor of this Government, have been given less appropriations than any other Department of the Government?

Mr. CANDLER. It is true. The appropriation is about \$100,000,000 for the War Department, and I dare say that the appropriations for the Navy Department will be about the same, making, practically, \$200,000,000 for the implements of warfare in a time of peace, and this appropriation is between five and six millions of dollars for the Agricultural Department, the Department of the people who are pursuing their honest labor and toiling to make a living by the sweat of their brows on the farms throughout America.

Mr. SIMS. Does the gentleman know how much money has been expended for seeds during the time that they have been distributed by the Department?

Mr. CANDLER. No, sir; I do not.

Mr. SIMS. Will it altogether exceed the appropriations for the St. Louis fair?

Mr. CANDLER. It might not. I have not had an occasion or the opportunity to investigate that question.

Mr. SIMS. And they are coming here to borrow \$4,600,000 more.

Mr. CANDLER. Oh, yes; I understand they want to borrow that amount for a short time. The money is now loaned to national banks, where it is being used for their interest, and it would be withdrawn from the national banks if the loan is made and loaned to the fair and be put into circulation in the South, where the people would derive some benefit from it; and then in a few months it will be returned from the treasury of the fair to the Treasury of the United States, after being accumulated by the fair from the patronage of the world. And hence the money, or a large portion of it, will be left in the South—and that will do us no harm.

I am advised by the gentleman from Virginia [Mr. HAY] that the appropriation for the Navy Department will be about \$95,000,000 for this year, and hence, as I said a moment ago, the appropriations for the War Department and the Navy Department—for these two Departments—will be, in round numbers, \$200,000,000 to provide implements of war in a time of peace, and for the peaceful tillers of the soil of the United States of America we only appropriate, in round numbers, about \$6,000,000. One hundred and ninety-four million dollars less is given for the benefit of the farmers who till the soil; and I assert, without fear of contradiction, that there is no appropriation that is made to any department of the Government that is as valuable to the Government, as useful in the development of our foreign trade and in sustaining our prosperity as the appropriation to the Agricultural Department. [Loud and prolonged applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAMB. I yield ten minutes more to the gentleman from Mississippi.

Mr. CANDLER. I sincerely thank my amiable friend from Virginia for his kindness. He can always be depended on to stand by the farmers. Now, I want to call attention to this appropriation for the distribution of the seed. It is, "\$290,000, of which amount not more than \$48,000 shall be expended for labor in the city of Washington, D. C., and \$40,000 to collect and purchase valuable seeds, plants, etc., from foreign countries for experimental tests to be carried on in cooperation with the agricultural experiment stations, and not less than \$202,000 shall be allowed for Congressional distribution;" hence the net appropriation for Congressional distribution of seed by Members of Congress is only \$202,000.

Mr. BOWIE. Only two-thirds of that.

Mr. WADSWORTH. Two hundred and two thousand dollars is for the purchase of seed. Forty-eight thousand can be used for labor, and \$40,000 for purchase of seeds from foreign countries. The gentleman from Mississippi stated the matter correctly.

Mr. CANDLER. I thank the gentleman from New York. Forty-eight thousand for labor and \$40,000 for foreign seed is taken out of the \$290,000, leaving \$202,000 for Congressional distribution, and two-thirds of the seed purchased with that amount goes to the Representatives and Senators to be distributed among the people, and one-third is retained by the Secretary for distribution to be made by him. I am glad, however, to bear testimony to the fact that the distinguished Secretary of Agriculture, who is a farmer himself, is always very accommodating—at least I have found him so—and is always greatly interested in the welfare of the farmers and the development of agriculture in every part of this magnificent country, and hence is always ready to aid Members of Congress in responding to the personal requests of their constituents by supplying them with additional seed, as far as it is possible for him to do so out of the one-third of the seed which is reserved to be distributed by him.

Now, then, I want to call attention to this point in reference to the balance of trade, which has been kept in favor of this country by the farmers. I have the facts and figures, which are contained in a statement made by the Secretary of Agriculture, in which it is shown that we owe absolutely to the farmers the fact that the balance of trade to-day is in our favor.

I read from the last annual report of the Secretary of Agriculture:

The immense exports from the farms of the country lead to an examination of the so-called "balance of trade." This examination reveals what seems to have escaped the attention of the public, and that is that the favorable balance of trade, everything included, is due to the still more favorable balance of trade in the products of the farm.

During the thirteen years 1890-1902 the average annual excess of domestic exports over imports amounted to \$275,000,000, and during the same time the annual average in favor of farm products was \$337,000,000, from which it is apparent that there was an average annual adverse balance of trade in products other than those of the farm amounting to \$62,000,000, which the farmers offset and had left \$275,000,000 to the credit of themselves and the country.

Taking the business of 1903, the comparison is much more favorable to the farmers than during the preceding thirteen-year period, since the value of domestic exports over imports was \$367,000,000, the entire trade being included, while the excess for farm products was \$422,000,000, which was sufficient not only to offset the unfavorable balance of trade of \$56,000,000 in products other than those of the farm, but to leave, as above stated, the enormous favorable balance of \$367,000,000.

During the last fourteen years there was a balance of trade in favor of farm products, without excepting any year, that amounted to \$4,806,000,000. Against this was an adverse balance of trade in products other than those of the farm of \$865,000,000, and the farmers not only canceled this immense obligation, but had enough left to place \$3,940,000,000 to the credit of the nation when the books of international exchange were balanced.

These figures tersely express the immense national reserve-sustaining power of the farmers of the country under present quantities of production. It is the farmers who have paid the foreign bondholders.

To recapitulate, but for the farmers last year there would have been a balance of trade against us of \$56,000,000, but the farmers canceled that and left \$367,000,000 to our credit. But for the farmers in the past fourteen years there would have been the enormous sum of \$865,000,000 against us, but the farmers met that, settled it, and left the marvelous and almost incomprehensible sum of \$3,940,000,000 to the credit of America. The crowning glory of this country is her wonderful agriculture and the amazing results it has accomplished. [Applause.]

It is the farmers who have paid our foreign bondholders and saved this country from peddling out its securities in the markets of the world and changed it from a debtor nation to a creditor nation, and if that be true, and it is a statement that can not be doubted or questioned, am I not correct when I say we owe more to the farmers of America than to any other class of people in all this country, and that instead of abolishing or curtailing the few things that they do receive at the hands of the National Government we ought to enlarge them and give them better opportunities and better benefits and greater favors, if possible, than we have ever given them in the past? [Applause.] Let us give them more seed, aid them in building "good roads," extend rural delivery of the mails as rapidly as possible, build the canal, do everything in our power to build up the agricultural interests of the country and to make the life of the farmer comfortable, profitable, and happy, and thereby render the greatest service possible to all of our constituents, because when you build up the farming interests of the country you build up every other interest in the country. The gentleman from Texas [Mr. SHEPPARD] says if we continue this system we will be known as "seedsmen" rather than "statesmen;" and I may be called a "seedsmen" rather than a "statesman" because I stand here and advocate the distribution of seed to the people, and especially to the farmers; but you may call me what you please, and name me what you may, as long as I stay here, so help me God, I will raise my voice in the farmer's interest and contend for those things which I believe to be for his good, and thereby help him if I can, and by helping him benefit all the people, because to him we owe more in the past, and we are going to owe more in the future, than we owe to any other class of our citizenship. [Great applause.]

It is the farmer who in time of peace brings the balance of trade

to our shores, and it is the farmer who in time of war stands ready to go to the front and bare his breast to defend the country that he loves. It is the farmer's wife who kisses her bright-faced boy good-bye and faces the loneliness, difficulties, and dangers of isolated country life and tells him to go and remain so long as his services are necessary in the defense of his country and for the good of his people. It is she who under like circumstances gives her husband to the same cause, and whether it be in success or in difficulties, whether it be in time of peace or in war, whether it be in prosperity or in great financial crises, it is the farmer to whom we must turn at last for relief, and, thank God, we have never turned to him unless he came to our rescue and furnished the relief which was required. [Applause.]

I applaud the sentiment and the truth expressed by John Trotwood Moore in his work entitled "A Summer's Hymnal," wherein, in substance, he says: The farmer's life is a loyal and patriotic life, sustained by a faithful hand, that has grasped so often the burden of duty and carried it so unselfishly. It is a hard hand, it is true, but it is faithful and honest, and in its rough grip more gentleness dwells, more truth and honor lay, than in many another of softer parts and finer turn. It may be rough, like the roots of the oak, twisted and hardened, gnarled and knotted, in the primal fight for life with the elements of nature. But unbeautiful as it is, it has borne its full burden in the fight of civilization and the battle of the world. It may be misshapen and its joints large from strain and toil, and the veins may run through it like channels of a stream deep cut, and it may be curved in like the turn of a plow handle and deep set like the grip of an ax helve, and deep set and scarred.

But if to-day there comes an upheaval of the earth in the fusion of rock and matter, and this hand, of all earth's civilization, alone leaves its imprint there to be read eons of ages hence by beings of enlightenment and light in the museums of a higher civilization, well may it stand embedded in some kindred block of stone, not to point to the name and lineage of some prehistoric race, but through all the ages of time it would stand as the "Track of duty," the "Emblem of patriotism" in "the Man age of earth." [Prolonged applause.]

Mr. WADSWORTH. Mr. Chairman, I now yield ten minutes to the gentleman from Illinois [Mr. BOUTELL].

Mr. BOUTELL. Mr. Chairman, this would seem to be a proper time to call the attention of the House to a slight error in the last annual report of the Commissioner of Internal Revenue. This report is a very able and interesting one, as are all the reports that have been made by the present Commissioner, and the error to which I allude is one so slight that ordinarily it would not be worthy of mention, but it has been used for purposes so serious that I deem it best to call the attention of the House to it, and through the House the attention of the country.

On page 158 of this report appears a table entitled "Receipts under the oleomargarine law during the fiscal year ending June 30, 1903." In that table appears this item: "Collections on oleomargarine imported from foreign countries, \$3,171.16." At the rate of the internal-revenue tax of 15 cents a pound, this would be an internal-revenue tax upon over 21,000 pounds of imported oleomargarine.

On page 160 the Commissioner continues his figures for the months of July, August, and September of the current fiscal year, and in this table appears the item of \$2,708.65 internal-revenue tax collected on imported oleomargarine, at the rate of 15 cents a pound. This would indicate an importation of over 19,000 pounds.

When I came to read this report these figures attracted my attention, figures which show that there were over 40,000 pounds of oleomargarine imported into the port of Chicago during three months, June to August, inclusive, 1903. On imported oleomargarine there is an internal-revenue tax of 15 cents a pound, and on imported oleomargarine there is a customs tax of 6 cents a pound. This would make a total tax of 21 cents a pound on 40,000 pounds of oleomargarine imported and withdrawn from consumption in Chicago in three months.

As I say, these figures seemed so astonishing to me that I made some inquiries, especially to find where this oleomargarine came from, because I happen to know that Chicago is the place where they make the best, the purest, and the sweetest oleomargarine that is turned out anywhere in the world. It is a product which is now considered by all skillful cooks superior to any kind of dairy butter for most forms of cooking and, I may add further, Mr. Chairman, a product for use on the table superior to nine-tenths of the so-called dairy butter. So I was astonished to find that 40,000 pounds of imported oleomargarine came into Chicago in ninety days, and I naturally wondered where it came from.

I made some inquiries at the Bureau of Statistics, but could get no information, as they had no such statistics. The Customs Bureau in the Treasury Department could throw no light on the subject. When the Commissioner of Internal Revenue took the

matter up he found that these items were the result of a simple mistake, as appears from a letter which he sent to me under the date of January 19, 1904, which I will read. It is as follows:

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, January 19, 1904.

Hon. H. S. BOUTELL,
House of Representatives, Washington, D. C.

SIR: In regard to your inquiry relative to imported oleomargarine received in the first district of Illinois, as shown by the Commissioner's Annual Report for the fiscal year ended June 30, 1903, pages 158 and 160, you are advised that a letter has this day been received from Collector Hertz, of Chicago, stating that he made no collections on account of imported oleomargarine during the months of June and August, 1903; that during the month of June he collected \$3,171.16 and during the month of August \$2,708.65 on account of oleomargarine taxed at the rate of one-fourth cent per pound; that his report on Form 22 was erroneous, and that the items which should have appeared opposite abstract 20, were dropped one line to abstract 26, which made the collections from oleomargarine at one-fourth cent per pound appear under oleomargarine imported from foreign countries at 15 cents per pound.

Therefore it is clearly shown that no oleomargarine imported from foreign countries was received in the first district of Illinois during the last fiscal year, or during the months of July, August, and September of the present fiscal year.

Respectfully,

J. W. YERKES, Commissioner.

So that this whole story of 40,000 pounds of oleomargarine imported, on which a combined internal-revenue and customs tax of 21 cents a pound was paid, has simply no foundation in truth in it, and was the result of a mere clerical error made by some subordinate who filled out the blank. It would seem hardly worth while to take up the time of the House to call attention to this matter if it had not been made the basis of some very serious representations, both in the press and elsewhere. Of course the two conclusions at once drawn from the fact that such importations took place were these: First, that the present oleomargarine law was a revenue measure, and I think it would astonish the most ardent friends and supporters of this unjust and discriminating law to have it referred to as a revenue measure.

In the second place, this large importation on which had been paid the internal revenue and customs tax would tend to show that the oleomargarine industry must be an industry in which there is a hidden, secret, and enormous profit to warrant the importation of this article and the payment of a tax of 21 cents a pound on it in addition to the transportation and the cost of manufacture. And so these quotations have been used throughout the country as tending to support these two statements.

But the most serious feature of it all was that in the supplemental brief filed by the Government in the pending cases in the Supreme Court to test the constitutionality of the oleomargarine law. On page 24 of the brief these erroneous figures from this report of the Internal Revenue Commissioner were given to the court with these erroneous deductions that naturally were made therefrom that the law was a revenue law and that the oleomargarine industry was enormously profitable.

I may say, Mr. Chairman, that I took occasion to at once call the attention of the Department of Justice to the fact that there was no truth whatever in the items as given in the report, and the Solicitor-General of course at once called the attention of the court to the error which had been contained in their brief.

Mr. RICHARDSON of Alabama. Is it not the truth that the effect of the oleomargarine bill, as passed here by Congress, has been to suppress the industry of oleomargarine to the benefit of the dairy industry?

Mr. BOUTELL. Why, certainly; that was the only object of the bill.

Mr. RICHARDSON of Alabama. That was the intention of the bill?

Mr. BOUTELL. Yes.

Mr. RICHARDSON of Alabama. Using the taxing power to aid one industry to the destruction of another?

Mr. BOUTELL. Yes.

Mr. PERKINS. Has that been the result of the bill?

Mr. BOUTELL. Yes. Almost every oleomargarine factory in this country has been on its last legs for some months, and if this case in the Supreme Court is decided against the manufacturers, it will destroy the industry. I think they have suffered long enough without having to run up against such a mistake as this, used in such a serious way.

[Here the hammer fell.]

Mr. ADAMS of Wisconsin. Will the gentleman permit me to ask him a question?

Mr. BOUTELL. Certainly; if I have the time, I should be glad to have the gentleman ask me anything he wishes.

Mr. LAMB. I will yield the time to the gentleman.

Mr. ADAMS of Wisconsin. The gentleman states that the oleomargarine factories of this country are on their last legs.

Mr. BOUTELL. I understand they are in very serious condition.

Mr. ADAMS of Wisconsin. Is the gentleman aware of the fact that the total oleomargarine production for last year was 72,000,000 pounds?

Mr. BOUTELL. Yes, but that was very much below what it was the year before, I think 50 per cent less than it was two years ago.

Mr. BURLESON. In other words, this pernicious law has accomplished the object it was intended to accomplish?

Mr. BOUTELL. Yes; absolutely.

Mr. BUTLER of Pennsylvania. What was the production of oleomargarine last year?

Mr. BOUTELL. I could not give the exact figures.

Mr. BUTLER of Pennsylvania. How much above 72,000,000 pounds?

Mr. ADAMS of Wisconsin. It was 125,000,000 pounds.

Mr. BUTLER of Pennsylvania. Does the gentleman consider an industry on its last legs when it manufactures 70,000,000 pounds a year?

Mr. BOUTELL. Yes, considering the number of factories and the fact that they made 125,000,000 of pounds the year before.

Mr. BUTLER of Pennsylvania. Well, its legs will be long enough to carry it a good while yet, I think.

Mr. BOUTELL. Not if the present unjust law remains in force.

Mr. WADSWORTH. Does the gentleman from Virginia [Mr. LAMB] want to use any more time? If not, I will move that the general debate be closed and that we now take up the reading of the bill by sections under the five-minute rule.

Mr. BARTLETT. Mr. Chairman, before that is done, I would like to ask the gentleman from New York a question. I would like to know if there is any provision made in this bill which will permit the Secretary of Agriculture to pay for the services rendered by crop reporters in the different States for sending in their reports?

Mr. WADSWORTH. They are not paid in money. They are paid in the way of documents and bulletins and horse books—things of that sort. I presume the gentleman refers to the crop reporters?

Mr. BARTLETT. Yes; I mean the crop reporters.

Mr. WADSWORTH. I understand there is no complaint made by them nor is there any demand on their part that they shall receive anything. It is a voluntary work, and the Government pays them the compliment of sending them documents and bulletins and farm publications generally.

Mr. BARTLETT. I know that the Government up to this time has not been paying them, but I want to know if this bill contains any provision looking to a change in that regard?

Mr. WADSWORTH. It does not.

Mr. BARTLETT. The bill does not do it, and an effort to amend the bill in that respect of course would be enacting new legislation.

Mr. WADSWORTH. It would be subject to the point of order.

Mr. BARTLETT. And the gentleman stands ready to make such a point of order?

Mr. WADSWORTH. I should have to make it.

Mr. BARTLETT. That is all I desire to know about.

Mr. LAMB. Mr. Chairman, I yield twenty minutes to the gentleman from Virginia [Mr. MAYNARD].

Mr. MAYNARD. Mr. Chairman, I desire to call attention to the provisions of this bill embraced under the Bureau of Statistics and Salaries on page 42. The report says that this item has been increased \$15,100. I suppose there is no objection on the part of any Member of this House to this provision, but representing, as I do, one of the greatest trucking sections in the United States, I feel it incumbent upon me to call the attention of the Members of the House to this item, so that it may be thoroughly understood and every Member may know the purpose of the increase and the necessity that exists and the claims these crops have for recognition and help by the General Government. The farmer engaged in growing truck produces wealth for the country and is entitled to the same consideration given growers of other important crops.

We are all familiar with the interest the Government takes in the statistical division of the Agricultural Department with reference to crop reports, frost conditions, and acreage, with reference to cotton, wheat, and other important crops raised in the United States. Mr. Chairman, there has been no report upon the subject of tobacco, rice, or trucking crops which are grown in nearly all of the States of the Union. I desire to submit for the consideration of the House a few statistics in relation to the trucking industry that I have gathered from the Agricultural Department through the courtesy of Doctor Corbett.

The trucking industry in the United States is so diverse in its nature, covers such a wide range of crops and climatic conditions that even those engaged in the industry have no adequate conception of its extent and importance. The reports of the last census, however, offer figures which enable us to present in a

brief and concise form an idea of the magnitude of the industry. We are accustomed to look upon the trucking industry as a very small factor in the general agriculture of the country, but compared with the great staples corn, cotton, wheat, oats, orchard fruits, etc., the products of the truck farms take an important position. There are in the United States 5,739,657 farms, which produce crops valued at \$2,910,138,663, of which amount each of the crops listed contributes the amount set opposite it in the table.

Crop.	Acres.	Value.	Value per acre.
Corn	94,916,911	\$828,258,326	\$8.73
Hay and forage	61,691,166	484,256,846	7.85
Cotton	24,275,101	370,708,746	15.27
Wheat	52,588,574	369,945,320	7.03
Vegetables	5,753,191	242,170,148	42.09
Oats	29,539,698	217,088,584	7.35
All fruits		131,423,517	
Truck (alone)		118,255,243	57.35
Orchard fruits		83,751,840	
Tobacco	1,101,483	56,993,003	51.74
Small fruits		25,030,877	
Rye	2,054,292	12,290,540	5.98
Subtropical fruits		8,549,893	

From the foregoing table it will be noted that vegetable crops hold the fifth position in rank among the great sustaining crops of the country. The trucking industry, which is a purely commercial subdivision of this vegetable industry, ranks eighth among the great wealth-producing crops. With the exception of the aggregate value of all fruit crops, the truck industry stands next in value to the cereals and is \$34,000,000 more than the value of the orchard fruits of the country. This industry returns more than twice as much to the nation as the tobacco industry and about fourteen times as much as the subtropical fruits of the country. The reason that the truck business has never been considered one of the important factors in the agriculture of the country is the comparatively small area which it covers in any particular locality. There are in all only 5,753,191 acres devoted to this industry, and for that reason it has not figured largely in the general farm operations of the country, some of which, like corn, cover 94,916,911 acres.

The character of the industry, however, is indicated by the value of the crop per acre. The average value for corn is \$8.73, and for cotton \$15.27, while for truck it is \$57.35, almost four times as much as for cotton and seven times as much as for corn. This explains the rank of the industry and indicates its intensive character. In comparing these figures it must be borne in mind that they represent the average for all sections of the country, all grades of producers, and the whole range of trucking crops. If special crops were to be selected and the returns of the most successful grower made the basis for comparison the differences between the cereals and truck crops would appear still more striking. In many instances corn is made to yield as much as \$60 to \$70 per acre, while truck crops may be made to return as high as \$900 to \$1,000 per acre. Such returns, however, are only obtained under the best of conditions, with intelligent management, both as regards cultivation and marketing.

For purposes of comparison the general averages will be most satisfactory, as they do not represent extreme conditions, but results which can be attained by any skillful and painstaking grower. The figures presented under the head of "truck" by no means represent the commercial standing of the industry. The census reports the total vegetable industry as having a value of \$242,170,148. Of this, truck is allowed \$118,255,243, the market garden \$67,399,348, the family garden \$46,477,087, or a total of \$232,131,678, thus leaving \$10,038,470 as the value of the vegetable crops used by the canneries of the country, which is undoubtedly very close to the true value of the product. Taking, then, the aggregate value of the truck, the market garden, and the cannery crops, we find the wealth production from the growth of vegetables to be \$195,693,061. This makes no account of the \$46,477,087 worth of vegetables grown in family gardens.

If the corn, hay, and other cereal crops were to be measured by the actual amount put upon the market and sold for cash, I dare say the rating of the crops would be still more markedly changed, with the result that the vegetable crop would stand much higher than at present.

As before stated, vegetable crops are staple crops; the products are perishable, but at the same time are necessities. It is therefore impossible for any one section to monopolize the production of all or, in fact, any one of these crops. The maps here presented not only indicate the wide distribution of these crops but emphasize the magnitude and importance of the local production of these crops about the great centers of consumption. This is again emphasized by the fact that the States with the largest consuming capacity are also the greatest producers. There were in 1899 twelve States each of which reported over 175,000 acres de-

voted to vegetable growing, New York State alone growing over 542,000 acres, while Minnesota, with many adverse conditions, devoted 177,138 acres to the industry. Eleven States derived over \$7,500,000 each from the industry.

New York	\$25,768,430
Pennsylvania	15,882,904
Ohio	12,354,407
Illinois	10,346,797
Michigan	11,088,136
Virginia	9,083,274
Mississippi	8,725,502
New Jersey	8,425,596
Wisconsin	8,048,511
Texas	7,677,242
Iowa	7,588,856

With this vast country interested in this wealth-producing crop, I believe it will strike every Member of this House as fitting that this industry should receive at the hands of the General Government the same aid that the production of cereals, cotton, and other crops receives at the hands of the Agricultural Department. For that reason I have offered these few statistics so that Members may be able to appreciate the necessity and claims that these industries, and the trucking industry especially, have for reports of the character now furnished with reference to the other crops of the country. [Applause.]

Mr. WADSWORTH. I now yield to the gentleman from Connecticut [Mr. HENRY] such time as he may desire to occupy.

Mr. HENRY of Connecticut. Mr. Chairman, this general debate upon the agricultural appropriation bill offers a convenient opportunity for remarks explanatory of the operation and effect of the oleomargarine law.

It is now over two years since the Committee on Agriculture reported the so-called "antioleo bill," which, after a long debate and most vigorous opposition in both branches of Congress, became a law May 9, 1902, becoming operative July 1, 1902. Obviously sufficient time has elapsed to fairly indicate the effect of legislation regarded by many as too drastic. The prophecies of failure and disaster uttered upon this floor during the week's discussion which preceded the passage of the bill will be long remembered.

It was alleged that a great industry would be ruined and the manufacture of oleomargarine made unprofitable; whereas results have proven that while the production of a fraudulent article, intended to be clandestinely sold as counterfeit dairy butter, has been curtailed, yet the manufacture of a more legitimate product, usually honestly sold without deception, is still continued.

It was claimed that oleomargarine colored in imitation of yellow butter, if taxed 10 cents per pound, could not be profitably manufactured; yet the last report of the Commissioner of Internal Revenue shows that over 5,000,000 pounds of colored oleomargarine, subject to this high tax, was manufactured and sold during the first fiscal year after the law became operative.

It was said that uncolored oleomargarine could not be sold except in very limited quantities, but the Bureau reports indicate that nearly 70,000,000 pounds were sold in American markets during the last fiscal year, paying a tax of only one-fourth cent per pound, in place of the 2-cent tax formerly levied, and inferentially benefiting consumers to the extent of at least the difference of 1½ cents per pound.

Representatives of live-stock associations and of oleo manufacturers asserted that the price of oleo oil would be largely reduced, to the great and permanent injury of the stock-growing interests of the West; whereas the highest prices ever quoted for oleo oil have been obtained since the enactment of the oleomargarine law.

Gentlemen from the cotton-growing States were alarmed for the cotton-seed oil industry, believing that the consumption of that oil would be diminished, with a consequent reduction in price. But events have shown that cotton-seed oil is used in increasing quantities and at higher prices, its larger use as a slight coloring ingredient being deemed desirable by oleo manufacturers. In fact, almost every contention made by the manufacturers of oleomargarine has been demonstrated to be false or imaginary, while the expectations and claims of the advocates of this timely and wholesome legislation have been realized and justified by well-ascertained results. So that it can now be truthfully said that, after a trial of over a year and a half, despite the efforts of unscrupulous enemies, the anti-oleo law meets the hopes of its friends and merits the approval of all consumers of dairy products, as well as of the great dairy interests of the country.

Under the provisions of section 4 of this act the sale of adulterated butter is effectually prohibited. The manufacture of process or renovated butter is regulated, and the 54,696,651 pounds of this none too desirable article of food sold during the last fiscal year was branded and marketed under the supervision of the Bureau of Internal Revenue.

The report of the Commissioner of Internal Revenue for 1902, the last year the old law was in force, shows that 126,316,427

pounds of oleomargarine were manufactured during the fiscal year ending July 1, 1902. This, together with 722,237 pounds on hand July 1, 1901, made a total production of 127,038,664 pounds. Of this quantity 3,469,199 pounds were exported, leaving 123,569,465 pounds for domestic consumption.

The Commissioner's report for 1903 shows that 5,710,407 pounds of colored oleomargarine, subject to a tax of 10 cents per pound, were manufactured during the fiscal year ending July 1, 1903, together with 67,573,689 pounds of uncolored, paying a tax of one-fourth cent per pound. Of this quantity 3,486,692 pounds were exported, leaving 69,797,404 pounds for domestic consumption, or 54,072,091 pounds less than in the preceding year.

That the production of oleomargarine is gradually decreasing is indicated by the further fact that during the months of July, August, September, October, and November of the present fiscal year there were manufactured 1,425,310 pounds of colored oleomargarine, together with 20,474,748 pounds of uncolored, making a total production for these five months of 21,900,058 pounds, while the quantity produced in the corresponding months of 1902, the first five months after the law became operative, was 1,874,930 pounds of colored and 25,527,207 pounds of uncolored, making a total production of 26,902,117 pounds, or 5,002,059 pounds more than during the first five months of the present fiscal year. The quantity manufactured during the corresponding months in 1901, under the old law and paying a tax of 2 cents per pound, was 43,529,364 pounds, or more than double the present current production.

The licenses issued under the old law in 1902 were: Manufacturers, 35; wholesale dealers, 192; retail dealers, 10,821. The licenses issued in 1903 under the new law were: Manufacturers, 31; wholesale dealers, 398; retail dealers, 26,157, indicating a wider distribution, if not more legitimate sales.

The revenue collected during the last year of the old law was \$2,944,472.46; the amount collected during the first year of the new law, including the tax upon renovated butter, was \$888,181.68, a sum sufficient to defray the cost of Government supervision—all that the friends and framers of the law anticipated or intended.

These statistics are most satisfactory from a dairyman's point of view, inasmuch as presumably this decrease of over 60,000,000 pounds in the production of oleomargarine since the law became operative, in July, 1902, gave place to and made possible the sale of an equal quantity of dairy or creamery butter.

With these facts before us, it may be fairly claimed that the farmers and dairymen of the country have not only been able to market an increased quantity of butter, but have also obtained slightly higher prices, and withal the consuming public have been protected from imposition and have received the article purchased.

Mr. WADSWORTH. Mr. Chairman, I understand from the gentleman from Virginia [Mr. LAMB] that there are no other gentlemen on his side who desire to address the committee; and as I have no further applications for time, I move that we now proceed to the consideration of the bill under the five-minute rule.

The CHAIRMAN. If there be no objection, the Clerk will proceed with the reading of the bill by paragraphs for amendment and debate under the five-minute rule.

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

General expenses, Bureau of Animal Industry: For carrying out the provisions of the act approved May 29, 1884, establishing the Bureau of Animal Industry, and the act approved August 30, 1890, providing for an inspection of meats and animals, and the provisions of the act approved March 3, 1891, providing for the inspection of live cattle, hogs, and the carcasses and products thereof which are the subjects of interstate and foreign commerce, and for other purposes, and to prescribe rules and regulations for the safe transport and humane treatment of export cattle from the United States to foreign countries, and the amendatory act approved March 2, 1895, providing for the inspection of live cattle, hogs, and the carcasses and products thereof which are the subjects of interstate and foreign commerce, and for other purposes, and also the provisions of the act approved February 2, 1903, to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of live stock, and for other purposes: *Provided*, That live horses be entitled to the same inspection as other animals herein named: *Provided further*, That the Secretary of Agriculture may, in his discretion, waive the requirement of a certificate with beef and other products which are exported to countries that do not require such inspection, \$1,200,000; and the Secretary of Agriculture is hereby authorized to use any part of this sum he may deem necessary or expedient, in such manner as he may think best, in the collection of information concerning live stock, dairy, and other animal products, and to prevent the spread of pleuro-pneumonia, blackleg, tuberculosis, sheep scab, glanders or farcy, hog cholera, and other diseases of animals, and for this purpose to employ as many persons in the city of Washington or elsewhere as he may deem necessary, and to expend any part of this sum in the purchase and destruction of diseased or exposed

animals and the quarantine of the same whenever in his judgment it is essential to prevent the spread of pleuro-pneumonia, tuberculosis, or other diseases of animals from one State to another; for improving and maintaining the Bureau Experiment Station at Bethesda, Md.; to establish, improve, and maintain quarantine stations, and to provide proper shelter and equipment for the care of neat cattle, domestic and other animals imported at such ports as may be deemed necessary; for printing and publishing such reports relating to animal industry as he may direct; and the Secretary of Agriculture may use so much of this sum as he deems necessary for promoting the extension and development of foreign markets for dairy and other farm products of the United States, and for suitable transportation of the same; and such products may be bought in open market and disposed of at the discretion of the Secretary of Agriculture, and he is authorized to apply the moneys received from the sales of such products toward the continuation and repetition of such experimental exports; and the Secretary is hereby authorized to rent a suitable building in the District of Columbia, at an annual rental of not exceeding \$1,800, to be used as a laboratory for said Bureau of Animal Industry; and the employees of the Bureau of Animal Industry outside of the city of Washington may hereafter, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed fifteen days in any one year: *Provided*, That the Secretary of Agriculture may construe the provisions of the act of March 3, 1891, as amended March 2, 1895, for the inspection of live cattle and products thereof, to include dairy products, intended for exportation to any foreign country, and may apply, under rules and regulations to be prescribed by him, the provisions of said act for inspection and certification appropriate for ascertaining the purity and quality of such products, and may cause the same to be so marked, stamped or labeled as to secure their identity and make known in the markets of foreign countries to which they may be sent from the United States their purity, quality, and grade; and all the provisions of said act relating to live cattle and products thereof for export shall apply to dairy products so inspected and certified.

Mr. LUCKING. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

After the word "another" in line 7, page 12, insert the following words: "Provided, That the Department or Bureau shall not give away to any one person, firm, or corporation more than 100 doses of blackleg vaccine in any one year."

Mr. WADSWORTH. Mr. Chairman, I shall have to raise the point of order against that that it is entirely new legislation.

The CHAIRMAN. The Chair is of the opinion that there are many things in this whole paragraph that might be subject to a point of order, but where they are allowed to remain in the bill by unanimous consent, the Chair thinks an amendment like that offered by the gentleman, to perfect the legislation, is not subject to the point of order.

Mr. WADSWORTH. Then I will listen to what the gentleman from Michigan has to say.

Mr. LUCKING. Mr. Chairman, I desire to add but a very few words to what I said this morning relative to the matter of this amendment.

In the first place, I desire the members of the committee to note that it is not proposed to suppress or completely put an end to the manufacture and distribution of blackleg vaccine. The amendment is simply to correct what everybody to whom I have talked privately admits to be a gross abuse, namely, the giving away of this vaccine in unlimited quantities to people who can very well afford to buy it from private sources, and to limit and prevent the destruction of private enterprise, and to stop the Government in a paternal enterprise, which is certainly wrong in principle and without any real benefit.

The point made by the gentleman from Texas [Mr. BURLESON] this morning was that this is being used experimentally with the idea of destroying blackleg entirely in this country. That argument has been used for upward of thirteen years, according to the authority that was read from the desk this morning. And a further abuse exists to this extent that it is given away so freely and with so little inquiry and with so little regard to justice that many individuals are engaged in getting it from the Bureau and reselling it to small farmers throughout certain of the States. This is stated upon what appears to be unquestionable authority, and it is not denied in the Bureau that it is given away in unlimited quantities to anybody who chooses to ask for it. Now, this amendment is simply for the purpose of limiting the number of doses to be given to any one person, firm, or corporation in one year to 100 doses, and it does seem to me that if any rancher or other farmer is so wealthy as to own so many animals that he requires more than that number in any one year he ought to be willing to pay something for it.

I submit further that this pretense of doing it in the hope of stamping out the disease is contradicted and overturned by the experience of the last fifteen years. It is wrong in principle for the Government to interfere with private enterprise, and I hope the amendment will be adopted.

Mr. LAMB. Mr. Speaker, this matter was gone over carefully by the committee, as every other item in it was, and upon the very point that has been discussed here by our friend from Michigan [Mr. LUCKING] we interrogated the Secretary of Agriculture. I should like to have the Clerk read his answers to two questions, asked by the gentleman from Texas [Mr. BURLESON] and myself.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Mr. LAMB. That leads me to make a new inquiry of you, Mr. Secretary. I have received letters saying the Government is making serum to destroy blackleg, and trying to interfere with private enterprise. I would like to hear from you on that.

Secretary WILSON. Blackleg is a disease that affects young animals, mostly calves; sometimes yearlings, and, very rarely, 2-year-olds. The people had great difficulty in getting serum that was powerful enough to treat it. We make it here for probably a tenth of a cent a dose; and we send out, say a million and a half doses a year, free to the people, and the result is that wherever we send it blackleg is disappearing. We are pushing this work with the theory that if we can prevent blackleg it will die out.

It is the same with rabies. If you muzzle every dog in the District of Columbia, and allow no other dog to come in, rabies will not come in. You could not do that. The love for the pup is stronger than the love for man, woman, or child in the District of Columbia, and dogs can not be muzzled here. That is the theory on which we are trying to experiment with blackleg, and we are succeeding. The day should come when there will not be a particle of blackleg in the United States.

Mr. BURLESON. As I understand it, Mr. Secretary, these laboratories are maintained by the Bureau of Animal Industry and its manufacture costs a mere trifle.

Secretary WILSON. Yes. Of course we are interfering with the trade, and if we destroy blackleg in cattle, we will destroy their trade in blackleg serum altogether. The economic question is whether we should maintain blackleg for the benefit of these manufacturers.

Mr. LAMB. Now, Mr. Chairman, that goes to the root of this matter. The Government is stamping out blackleg just as it did the foot-and-mouth disease, and the committee will see at once that the private business of these gentlemen referred to by the gentleman from Michigan will not be necessary after the Government has succeeded in stamping out this disease.

Mr. LUCKING. May I ask the gentleman a question?

Mr. LAMB. Yes.

Mr. LUCKING. Was not the same argument made thirteen years ago in this House, that you were stamping it out?

Mr. LAMB. I think so. Experience since then has shown that we are stamping it out, and there is the evidence given by the Secretary of Agriculture himself.

Mr. LUCKING. They might say the same thing about smallpox or anything else that they chose to experiment with.

Mr. MONDELL. Mr. Chairman, I hope the amendment offered by the gentleman from Michigan will not prevail. I do not believe that the number of doses of vaccine given to any one individual should be limited, at least the limit should not be as low as suggested by the gentleman from Michigan. The Secretary of Agriculture very clearly pointed out that the object of the Department in the distribution of this vaccine is to stamp out blackleg; and during the time that this Government has been distributing this vaccine blackleg has very largely diminished and is being gradually stamped out. The stock raisers of my State that I come in contact with, and with whom I correspond in regard to this matter, tell me that the vaccine furnished by private firms can not be depended upon; that, as a matter of fact, the Government vaccine is a specific; that on the other hand the vaccine that they obtain from the local merchants, either by reason of fault in its manufacture or by reason of the fact that it has become stale in the hands of local merchants, very often is of no value whatever, whereas the blackleg vaccine furnished by the Government is always fresh and in every case efficacious. During the time that this vaccine has been furnished by the Government, at least so far as my region is concerned, blackleg has decreased by at least one-half, indicating that, as a matter of fact, the disease is being rapidly stamped out.

Now, the gentleman from Michigan suggests that by reason of this distribution stock raisers, or those pretending to be stock raisers, who apply for the vaccine are using it as an article of merchandise. I want to call the attention of the gentleman and the House to the fact that the vaccine is never furnished except on an application indorsed by a Member of Congress or a Senator, and if the Member indorsing that application will take the pains to satisfy himself, as he should, as to the character of the applicant, there can be no question but what the vaccine will be properly and legitimately used. It has been my practice whenever an application has reached me to assure myself beyond doubt or question as to the character of the applicant and as to the fact of his being the owner of a sufficient number of cattle to require the number of doses he asks for.

Mr. BOWIE. Is it not true that the cost of a dose of this vaccine to the Government is about one-tenth of 1 cent, and that these private manufacturers sell an inferior quality at 50 cents a dose? At any rate a very much larger amount?

Mr. MONDELL. I think that in our country it is sold for 15 cents a dose in small quantities, and 10 to 12 cents a dose in large quantities.

Mr. BOWIE. It is about a hundred times as much.

Mr. MONDELL. The objection is not so much to the price, objectionable as that is, as to the quality of the vaccine obtained from private manufacturers.

Mr. BURLESON. If the gentleman will permit me, is it not a

fact that the drug stores and other places where the vaccine is kept for sale, if they fail to sell out the stock on hand in this year, carry the stock over to next year, and sell it to the stock raisers, and in consequence of that fact they do not get verile vaccine matter?

Mr. MONDELL. I think that is unquestionably true, and probably that is the reason why the vaccine obtained in the localities or in the local stores is often absolutely worthless.

Mr. BROOKS. Mr. Chairman and gentlemen, I very much hope that this amendment will not prevail. I speak for a large section, where the stock-growing interests are large and where the number of people having small stock interests is large. I want to say that in my experience I have had very many requests for the vaccine to which the gentleman from Michigan alludes, and it is true that an application to the Department for this vaccine must bear the indorsement of a Congressman, so that I think I am fairly well informed as to the sources from which the requests come in my section, and thus far the largest single requests I have had has been for fifty doses of blackleg vaccine. I know also that these requests have come in a large majority of instances from people I have personally known to be not the large stockmen or from men who were seeking to get any undue advantage, but from the smaller stock growers and smaller ranchmen. To them this favor from the Government's bounty, while insignificant in cost, is a very important thing. Many of them are somewhat remote from sources of supply, and that which they can obtain locally is often, from no fault of the original manufacturers, inert and valueless.

To obtain easily, quickly, and without expense a reliable supply has been of great assistance to the very ones who most need it. I know that it is very much desired and appreciated when received, and I feel that if the bill were to be amended it should be in the direction of making the distribution of vaccine more, rather than less, general.

I understand also that a further reason for which the Agricultural Department desires to continue this distribution as it has hitherto carried it on is that it is important on account of the protection thereby afforded to interstate commerce to eradicate the disease or to bring it where the Department can control it. The shipping of cattle from one section to another has made the existence of blackleg on the ranges a very serious menace to the stock growers of the whole country.

The interests which are protected from this danger by the distribution of vaccine certainly have a right to demand further consideration, and to check the work now, before its results have been fully accomplished, would be shortsighted in the extreme. As to the statement that vaccine obtained from the Government is sold for private gain, I can not think that this is the case to any considerable extent. Everything in my own experience is to the contrary, and it seems as though this must be a mistake. It seems to me that it is very important, therefore, for these and many other reasons, that this distribution should continue. I hope that the amendment will not prevail.

Mr. LUCKING. Mr. Chairman, if it is not out of order I would like a minute or so to make some comment. Now, the gentleman, I think from Wyoming, suggested that the limitation placed in the proposed amendment was too small, that 100 doses was below what it ought to be, and I would ask him, if he seriously entertains the proposition of the amendment at all, what he would consider a proper limitation?

Mr. MONDELL. Personally, I do not think there should be any limit.

Mr. LUCKING. Very well; then I will not ask anything further. Now, Mr. Chairman, with reference to the quality of the vaccine prepared and sold by private manufacturing institutions of the country, I desire to say that the one house which I mentioned this morning, Parke, Davis & Co., send their preparations all over the civilized world; that no house on this continent stands higher or is more careful in the preparation of its products.

Its products are used all through the Government institutions in very many of its departments, and I wish to protest vigorously against the proposition that the article which is manufactured by the Government is any better than that manufactured by Parke, Davis & Co., and I would like to ask if any gentleman connected with the Agricultural Department has ventured to say that anything of the kind was true or could be true. Furthermore, the departments now are under Government supervision which manufacture privately the blackleg vaccine.

Mr. MONDELL. Will the gentleman yield to me for a moment? I have no desire to criticize unjustly the product of any manufacturing company in the Union, and if the gentleman listened to what I have said, he will recollect that I have stated—

Mr. LUCKING. There were others who stated that, not yourself.

Mr. MONDELL (continuing). That either by reason of fault in manufacturing or by reason of deterioration of the quality of the goods by long storage they certainly did not produce as good results as the Government vaccine.

Mr. LUCKING. Well, now, Mr. Chairman, that suggests the further fact for the consideration of the members of this committee that the United States Government is actually engaged in manufacturing this stuff just as it is ordered from day to day and giving any amount of it to anybody who may choose to ask for it, and it has done that for many years. Now, thirteen years ago, according to the statistics furnished, they were putting forth nearly as much of this as now. It has increased, I think, about 250,000 doses in the last thirteen years, and I submit for the Government to engage in the business after so many years, when it started the business purely as an experiment, and we understood it was an experiment to see what could be done, that it is an enterprise which ought not any longer to continue in the way it is now being conducted. That is all I desire to say.

The question was taken, and the amendment was not agreed to. The Clerk read as follows:

Botanical investigations and experiments: Investigations relating to medicinal, poisonous, fiber, and other economic plants, seeds, and weeds; the collection of plants, traveling expenses, and express and freight charges; for all necessary office fixtures; the purchase of paper and all other necessary supplies, materials, and apparatus; for rent and ordinary repairs of a building for office and laboratory purposes, not to exceed \$3,000; for gas and electric current; for telegraph and telephone service; for the employment of investigators, local and special agents, clerks, assistants, and student scientific aids at an annual salary of \$480 each, and other labor in conducting experiments in the city of Washington and elsewhere; and in collating, digesting, reporting, and illustrating the result of such experiments; subscriptions to and purchase of botanical publications for use in the division; and the preparation, illustration, and publication of reports; to investigate and publish reports upon the useful plants and plant cultures of the tropical territory of the United States, and to investigate, report upon, and introduce other plants promising to be valuable for the tropical territory of the United States, such plants and botanical and agricultural information when secured to be made available for the work of agricultural experiment stations and schools; to investigate the varieties of cereals grown in the United States or suitable for introduction, in order to standardize the naming of varieties as a basis for the experimental work of the State experiment stations, and as an assistance in commercial grading, and to investigate, in cooperation with the Bureau of Chemistry, the cause of deterioration of export grain, particularly in oceanic transit, and devise means of preventing losses from those causes, \$65,000.

Mr. HAUGEN. Mr. Chairman, I wish to offer an amendment. The CHAIRMAN. The gentleman from Iowa offers an amendment which the Clerk will report.

The Clerk read as follows:

Insert on page 20, in line 4, after the word "dollars," the following:

"The Secretary of Agriculture is hereby directed to obtain in the open market samples of seeds of grass, clover, or alfalfa, test the same, and if any such seeds are found to be adulterated or misbranded, or any seeds of Canada blue grass (*Poa compressa*) are obtained under any other name than Canada blue grass or *Poa compressa*, to publish the results of the tests together with the names of the persons by whom the seeds were offered for sale."

Mr. HAUGEN. Mr. Chairman, I offer this amendment. It has the approval of the Agricultural Department. It is to protect the purchasers of seeds against the adulteration and misbranding of seeds and to give the Secretary of Agriculture the authority to purchase samples of seeds and test the same and, if found to be adulterated or misbranded, to publish the results of the tests together with the names of persons offering such seed for sale. I will state, also, that this amendment has been carefully considered by the Committee on Agriculture and is authorized by the committee.

Mr. COWHERD. I would like to ask the gentleman a question. I could not catch from the reading at the Clerk's desk exactly what the amendment was. I understand there is a provision which calls for the publication of the names of parties who sold the seed. What is the purpose?

Mr. HAUGEN. That is, after the seed has been found to be adulterated or misbranded.

Mr. COWHERD. Is it intended to get samples of all seeds from everybody engaged in the business in the United States?

Mr. HAUGEN. Oh, no.

Mr. WADSWORTH. When the Department thinks it is necessary.

Mr. HAUGEN. When it is deemed necessary by the Department.

Mr. BURLESON. I will state to the gentleman from Missouri that it is intended to put the public upon notice of who sells these adulterated seeds.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Arlington experimental farm: To enable the Secretary of Agriculture to continue the necessary improvements to establish and maintain a general experimental farm and agricultural station on the Arlington estate, in the State of Virginia, including employment of labor in the city of Washington or elsewhere, and for all necessary fixtures, supplies, material, apparatus, and other expenses, in accordance with the provisions of the act of Congress approved April 18, 1900, entitled "An act to set apart a portion of the Arlington

estate for experimental agricultural purposes, and to place said portion under the jurisdiction of the Secretary of Agriculture and his successors in office," which act shall be construed to confer upon the Secretary of Agriculture and his successors jurisdiction over so much of the Government land in Alexandria County, Va., known as the Arlington estate, as lies east of the public road leading from the Aqueduct Bridge to Alexandria, Va., otherwise called the Georgetown and Alexandria road, and between said road and the Potomac River, containing about 400 acres, with the exception, however, of a strip of land as follows: Commencing at the point where the Georgetown and Alexandria road enters the Arlington estate on the north side, thence along said road 625 yards, thence in a line perpendicular to said road to the Chesapeake and Ohio Canal, thence along said canal to the north line of the reservation, \$15,000.

Mr. RIXEY. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

On page 23, line 8, strike out the word "fifteen" and insert the word "twenty-five" so that it will read "\$25,000."

Mr. RIXEY. Mr. Chairman, this experimental farm at Arlington is the only experimental farm in the United States that belongs to the Government. It was taken from the War Department in 1900 and turned over to the Agricultural Department for the purpose of an experimental station. It contains from 300 to 400 acres, and the Agricultural Committee of this House is starving it to death. The act under which it was turned over to the Secretary of Agriculture provides:

That the declared purpose of this act is to set apart said tract of land as a general experimental farm in its broadest sense, where all that pertains to agriculture in its several and different branches, including animal industry and horticulture, may be fostered and encouraged, and the practice and science of farming in the United States advanced, promoted, and practically illustrated.

When this property was turned over to the Agricultural Department it presented the appearance which you can imagine it would after forty years of neglect. At one time the Arlington estate was among the most beautiful in Virginia, but it was confiscated in 1861-1865, and from the time it went into the hands of the Government this portion of it, the low ground of the Arlington estate, remained without any cultivation, tillage, or care for forty years. For that length of time it had been an eyesore to that portion of the State of Virginia and to this city. In 1900 it was turned over to the Agricultural Department and the Secretary was instructed to make it an experimental station, so as to be an example for agriculture in the several States of this Union. At that time the land was traversed by deep gullies, overgrown with underbrush and with not a building or a fence upon it. With the small appropriation of \$15,000 the Secretary has gradually gotten the land into condition to proceed with experiments as contemplated by the law of April 18, 1900, but for two years he has appealed in vain to Congress to give him an additional appropriation.

In his last annual report he takes four or five pages of the report urging the importance of a liberal appropriation for this experimental station, and his concluding words are as follows:

The more specialized character of work which each year becomes necessary in the management of the Arlington farm demands a greater expenditure per acre under cultivation, as new and urgent problems are continually presented for solution; and in order that the work now in progress may be completed and that a few of the many new difficulties presented may each year be brought under consideration, it is respectfully recommended that at least \$25,000 be set aside for use at the Arlington farm.

Mr. Chairman, there is now an appropriation by the General Government for aid to the experimental stations in the several States. This is known as the "Hatch fund," and provides for the appropriation of \$15,000 to each of the several States for experimental stations. These stations are under the control of the States and not of the Federal Government. The State of New York supplements the \$15,000 which this Government gives for experimental purposes with \$100,000, and the State of Illinois supplements the \$15,000 by an appropriation of \$70,000, and yet this committee expects the Department of Agriculture to make the Arlington Experiment Station, which is larger than either and the only one owned by the Government, to be properly conducted and developed upon an expenditure of \$15,000.

Mr. PAYNE. Will the gentleman state how much the State of Virginia supplements this appropriation?

Mr. RIXEY. Virginia is not expected to supplement it, but if you will turn it over to the State of Virginia we will duplicate the amount.

Mr. PAYNE. In other words, you will give \$15,000?

Mr. RIXEY. This land is owned entirely by the United States Government and is controlled by the Government. It was bought by the Government, and the State of Virginia has no jurisdiction over it, because it has surrendered its jurisdiction. Why should you expect the State of Virginia to supplement the Government appropriation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOWIE. I ask that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Texas asks that the gentleman from Virginia have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. RIXEY. Mr. Chairman, I will not take the whole five minutes. I only want a minute or two. Mr. Chairman, speaking for myself, I have been disappointed in the results at the Arlington farm. I had supposed that Congress would have been liberal in its appropriations and have enabled the Secretary to go on with the developments on the lines contemplated in the act of Congress giving him jurisdiction. He says he wants to conduct experiments in agriculture as they are conducted in the States. He wants to show to the States what can be accomplished in agriculture. He is well informed and equipped for the development of the national experimental farm, but he is unable to put up the buildings or to make the experiments unless this appropriation is increased.

I submit that what the Secretary asks for is less than he ought to have. Instead of \$100,000 which New York gives to its experimental stations, this Government only gives fifteen thousand to the only experimental station that it owns. I submit that the amendment ought to be adopted, and that the committee should hereafter deal with this great experimental station in a spirit commensurate with the importance and dignity of the agricultural interests—the greatest industry of our country.

Mr. HEPBURN. Mr. Chairman, I would like to ask the chairman of the committee if in his judgment a mistake has not been made in attempting to establish this experimental farm on the Arlington estate. The Arlington estate was intended, I think, for two purposes originally, neither of them an agricultural purpose, and now, for the uses of the military, they are seeking to secure additional very high-priced land in order that there may be room for the military maneuvers that ought to occur at that place. Has there not been a mistake made in taking the three or four hundred acres that lie down in the flats, admirably adapted for military maneuvers, and attempting to establish this farm at that place? I think so; and I for one would be unwilling that there should be any permanent improvements that will be destroyed when the estate is returned to the real uses for which it was purchased and to which it ought to be dedicated.

Every foot of that land is needed now for the maneuvers of the troops that from time to time will be there and that perhaps ought to be there at all times, and we ought to use that which we have and not pay, as is contemplated by certain real estate firms in this city, five hundred, a thousand, or two thousand dollars an acre for additional land in order to make needed room for military maneuvers.

Mr. WADSWORTH. Mr. Chairman, the Committee on Agriculture, I may state, has always been opposed to the establishment of a Government experimental farm. They take the ground that the experiment station in each State and Territory, to which the National Government contributes \$15,000 annually, is sufficient.

In other words, that an experiment made here on the shores of the Potomac would be of no account in the State of Pennsylvania or the State of New York. Therefore, as an experimental farm it has never been popular, I may say, with the Committee on Agriculture.

Mr. HEPBURN. Will the gentleman allow me to say, for fear of being misunderstood, that I do not want to make any criticism upon the policy of the establishment of this national experimental station. I believe in it; I think it ought to be done. I do not agree with the committee on that matter; but I do believe that we have made a mistake in locating it here upon the high-priced lands so near the capital.

Mr. WADSWORTH. In considering this question, Mr. Chairman, the committee simply decided to put this experimental station on all fours with all the other experimental stations of the country. The United States Government gives \$15,000 a year to the experimental stations located in each State and Territory. We have simply treated this United States experimental station exactly as we have treated those in the several States. This station can not be built up, I admit, in one year with \$15,000; but I disagree with the gentleman from Virginia [Mr. RIXEY]. I think great work has been done there already under previous appropriations and the work will continue, and in ten years, with \$150,000 expended there, you will have a magnificent experimental station. And let me say further to the gentleman from Virginia that Virginia is very fortunate in having two stations that the Government gives \$15,000 each to.

There is the State experimental station, and then there is this experimental station. Now, the mere matter of \$10,000 does not amount to very much, but we simply put it on the same ground as we put all the other stations, and, as I say, in ten or fifteen years that station will be a magnificent station with an annual appropriation of \$15,000.

Mr. RIXEY. Does not the State of New York supplement the

\$15,000 which the Government gives by an appropriation of over a hundred thousand dollars?

Mr. WADSWORTH. That is very true. Why does not Virginia do the same?

Mr. RIXEY. Virginia has nothing to do with this station. The policy of establishing it was decided by Congress. Four years ago Congress decided to establish this station and turned it over to the Agricultural Department. In reply to the gentleman from Iowa [Mr. HEPBURN] I desire simply to state that the Secretary of War reported that he had no use for this portion of the Arlington estate—about 300 acres of land; that the tract contained altogether about twelve hundred, and that the remainder was all that was needed for the military reservation and the national cemetery, and he would be very glad to have the river low grounds transferred to the Secretary of Agriculture. The Military Committee of the House unanimously reported the bill, and it became a law.

I know of no effort on the part of real estate men, as charged by the gentleman from Iowa, to foist upon the Government tracts of land adjacent to this capital for military purposes. So far as I know, this Government has now at the military reservation at Arlington more land than it has any use for. The 400 acres of river bottom land are admirably adapted to experimental purposes. It has been turned over to the Secretary of Agriculture for that purpose, and it seems to me to be the worst kind of economy to say that you will not increase the small appropriation which it now has. If it were put on the same footing as New York, you would give it over \$100,000. The Secretary of Agriculture is, in my judgment, the most conservative member of the Government in submitting his estimates to Congress, and the Committee on Agriculture is the only committee that I know of that does in any way keep down the expenditures of its Department.

Mr. WADSWORTH. Well, the gentleman does not blame us for it, does he?

Mr. RIXEY. Oh, I do not blame the committee, but I think there is such a thing as false economy, and in this particular there is false economy, because you simply give the Secretary enough to keep the experimental farm open, without funds, however, for proper development. Why this economy in agriculture and wasteful extravagance in other Departments?

Mr. WADSWORTH. I deny utterly that statement of the gentleman. A few days ago I passed a day with Professor Galloway, of the Department, in making an inspection of what has been done on this farm. Great improvements have been made there. Fifteen thousand dollars will make still greater improvements, and \$15,000 appropriated next year will continue the work. Rome was not built in a day, and we can not make that experimental station in a day.

Mr. RIXEY. Rome was not built in a day, and if Romulus and Remus had been members of the Agricultural Committee, it never would have been begun. [Laughter.]

Mr. WADSWORTH. That is a matter of ancient history that I will not discuss with the gentleman from Virginia.

The question being taken on the amendment of Mr. RIXEY, it was rejected.

The Clerk read as follows:

Purchase and distribution of valuable seeds: For the purchase, propagation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; for rent of building, not to exceed \$3,000; the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, printing, postal cards, gas, and electric current; traveling expenses, and all necessary material and repairs for putting up and distributing the same, and to be distributed in localities adapted to their culture, \$200,000, of which amount not more than \$48,000 shall be expended for labor in the city of Washington, D. C., and not less than \$202,000 shall be allotted for Congressional distribution.

And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States. An equal proportion of two-thirds, and no more, of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the Department upon the receipt of their addressed franks; such franks to be furnished by the Public Printer as is now done for document slips with the names of Senators, Members, and Delegates printed thereon, and the words "United States Department of Agriculture, Congressional seed distribution," or such other phraseology as the Secretary may direct; and the person receiving such seeds shall be requested to inform the Department of the results of the experiments therewith: *Provided*, That all seeds, bulbs, plants, and cuttings herein allotted to Senators, Representatives, and Delegates in Congress for distribution remaining uncalled for on the 1st of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress, and who have not before, during the same season, been supplied by the Department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and

the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same.

And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, propagation, and distribution of valuable seeds, bulbs, shrubs, vines, cuttings, and plants: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided further*, That \$40,000 of the sum thus appropriated, or so much thereof as the Secretary of Agriculture shall direct, may be used to collect, purchase, test, propagate, and distribute rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries for experiments with reference to their introduction into this country; and the seeds, bulbs, trees, shrubs, vines, cuttings, and plants thus collected, purchased, tested, and propagated shall not be included in general distribution, but shall be used for experimental tests to be carried on with the cooperation of the agricultural experiment stations.

Mr. SHEPPARD. Mr. Chairman, I desire to make a point of order upon that portion of the paragraph just read, beginning at line 10, page 24, and ending with line 24, page 26. I make this point of order on the ground that the provision embraced within the lines I have specified is a change of existing law and an absolute and mandatory limitation upon the discretion of the Secretary of Agriculture vested in him by the law. May I be heard for a few moments on this point?

The CHAIRMAN. Certainly; the Chair will gladly hear the gentleman on the point of order.

Mr. SHEPPARD. Mr. Chairman, the original law on this subject is found in the Revised Statutes of 1878, section 527, which reads as follows:

The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and uncommon to the country or such as can be made more profitable by frequent changes from one part of the country to another.

Under that provision of law the distribution of seeds is placed within the discretion of the Secretary of Agriculture.

I now desire to read from the Constitution, Manual, and Digest, page 347, the following annotation:

It has been generally held that provisions giving a new construction of law or limiting the discretion which has been exercised by officers charged with the duties of administration are changes of law within the meaning of the rule.

Now, as I understand the matter, certain limitations upon the discretion of an administrative officer are not subject to this point of order, but those limitations apply to the administrative functions of the officer, and they must not be so mandatory as to be equivalent to a direct and substantive enactment of law.

Now, under this paragraph, after the appropriation is provided for as required and authorized by law, the bill proceeds to direct the exact manner in which the Secretary of Agriculture shall conduct the distribution of seeds. Nothing is left to that discretion which has been vested in him by the solemn terms of the law. The paragraph of the bill reads, in part, as follows:

And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, etc.

It will be seen that the language is directly mandatory. The provision proceeds further to state that the distribution shall be made through Congressmen; that blanks shall be furnished by the Public Printer, such as are now furnished as document slips, with the names of Members, Senators, and Delegates printed thereon—a clause for which there is no possible authority in the statutory law, a clause for which there is no possible authorization. And the other clauses of the bill are subject to the same objection and the same criticism.

The bill, proceeding, provides a certain time of the year within which the seeds allotted to certain Senators and Representatives must be distributed. In other words, the bill proceeds, under the guise of an appropriation, to prescribe a new and substantive law—a method by which the Secretary of Agriculture is commanded to proceed with this distribution, allowing nothing to that discretion which is given him by the statute.

I ask for the ruling of the Chair upon this proposition, and afterwards I may desire to offer an amendment to the section.

Mr. WADSWORTH. I do not care to say anything upon the point of order.

The CHAIRMAN. The question raised by the gentleman from Texas [Mr. SHEPPARD] presents some difficulties. The Chair is inclined to construe the bill somewhat as if it read in a little different manner—as if it read thus:

"And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, only on the following conditions: For the purpose of testing and distribution," etc.

And while admitting that you can not place a limitation upon

the discretion of the Secretary where the law gives him a right to exercise it, yet construing this paragraph not as a limitation upon his discretion, but rather an addition, and a limitation upon which the appropriation is granted, I shall not sustain the point of order to the whole section, yet there is one provision in the section that the Chair holds to be clearly subject to the point of order. That is that part of the section commencing with the word "such," in line 2, and ending with the word "direct," in line 7, page 25:

Such franks to be furnished by the Public Printer as is now done for document slips with the names of Senators, Members, and Delegates printed thereon, and the words "United States Department of Agriculture, Congressional seed distribution," or such other phraseology as the Secretary may direct.

It seems to the Chair that this is new legislation, and that it is legislation on an appropriation bill, directing what the printing department shall do, and as the Chair understands the rules of the House, that portion of the section being subject to the point of order, it vitiates the whole section. Therefore the Chair sustains the point of order made by the gentleman from Texas.

Mr. WADSWORTH rose and was recognized, and yielded to Mr. SCOTT.

Mr. SCOTT. Mr. Chairman, I should like to ask the gentleman from Texas a question.

Mr. SHEPPARD. I understand the point of order has been sustained.

Mr. SCOTT. I desire unanimous consent to say a few words. I should like to direct a suggestion to the gentleman from Texas [Mr. SHEPPARD] if he will listen to it. I understand, of course, that his object in raising this point of order is to strike out the whole section, and under the ruling of the Chair that will be done unless the lines which the Chair has just called attention to are stricken out. The gentleman from Texas will readily understand that it will be very easy to submit this paragraph again, eliminating the objectionable lines, so that the purpose of his objection will be defeated; and it will not only be defeated, but the Members of this House will be deprived of the very great benefit conferred upon them in the matter of convenience by the lines stricken out. I wanted to ask the gentleman from Texas, in view of this fact, if he would not be willing to withdraw his point of order, so that these words, by means of which a great convenience is afforded to Members of this House and of the Senate, may still remain in the bill.

Mr. SHEPPARD. Mr. Chairman, proceeding by the same unanimous consent which has been given to the gentleman, I desire to say that the object of my entire contention has been to call attention to the irregular, impracticable, and useless manner in which the seed distribution is conducted at present. The object of my argument has never been to secure the entire abolition of the seed distribution which is provided in the law of 1862, establishing the Department of Agriculture; but my object has been simply to improve it and to place it in such a condition that it will be a true test, and will tend to the thorough development of the soil of the country, in accordance with the original intention. After withdrawing the point of order on the statement made by the gentleman from Kansas [Mr. SCOTT] I shall offer an amendment embodying my ideas, and I trust that they will receive some consideration. My purpose was simply to fix the attention of the House upon the condition of affairs with reference to the seed distribution. Having attained that object, I withdraw the point of order.

Mr. LIND. Mr. Chairman, I renew the point of order. If the Chairman entertains the suggestion of the gentleman from Texas that he can withdraw the point of order after it has been discussed and ruled upon, I certainly—

The CHAIRMAN. The Chair will not entertain the suggestion that the point of order can be withdrawn after it has been ruled upon.

Mr. LIND. That it can?

The CHAIRMAN. It can not be withdrawn after the ruling of the Chair.

Mr. SCOTT. Could it be withdrawn by unanimous consent?

The CHAIRMAN. The Chair will say to the gentleman from Kansas that he thinks the better way would be to ask unanimous consent to offer the whole section as an amendment.

Mr. SCOTT. Then, Mr. Chairman—

Mr. WADSWORTH. Mr. Chairman, the whole section having gone out under the point of order, I have the right to offer a substitute, have I not?

The CHAIRMAN. The gentleman has the right to offer a new section, and he has the right to offer the whole section by unanimous consent.

Mr. WADSWORTH. The entire section?

The CHAIRMAN. By unanimous consent is the only way, the Chair thinks, in which the gentleman could offer the whole section again after it has been struck out.

Mr. LIND. Mr. Chairman, I would like to be heard for just one minute, so as to define my position.

The CHAIRMAN. The Chair would state to the gentleman from Minnesota there is nothing before the committee.

Mr. LIND. I know there is not. I ask unanimous consent to make a statement, for not to exceed two minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that he may be permitted to speak for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LIND. Mr. Chairman, I want to say for the benefit of the chairman of this committee that I shall feel it my duty to object to unanimous consent for any proposition that involves the continuance of the present miserable, demoralizing habit of sending out seed that has no special value. [Applause.] Now, in every legislative and administrative position that I have filled I have gone as far as any other man to vote and work for the furtherance of every legitimate interest of agriculture, and have been a consistent, active supporter of the agricultural college of our State; and I doubt whether there is a better one in the United States. There may be those as good, but none better. It is doing splendid work. If one-half of the money that is wasted by our delegation from Minnesota in this work of sending out oftentimes worthless seeds were turned into the treasury of our agricultural college, we would be doing twentyfold more good for agriculture than comes from this system.

I think it is time for the membership of this House to rise to the dignity of meeting this question, as well as all other questions, on its merits. Let us take the \$290,000 that we fritter away in this manner and distribute it pro rata among the agricultural colleges of this land, and the benefits to agriculture would be tenfold—aye, a hundredfold—greater.

The original scheme of the law was for the Agricultural Department—at that time we did not have good stations in the several States—to secure and send out new, rare, and valuable foreign seed for experimental purposes. This was legitimate and proper; but now it would be infinitely better to supply such seed to the various agricultural colleges than to have them distributed by Members of Congress. This is not the kind of work that we were elected to do. I am willing to do anything for my constituents, but I do not want to waste their money. I am sending out my quota of seed faithfully. It does not affect seed distribution for this session, but I say we ought to do the right thing, and cut it off for the future. Let us have one year of respite and relief, Mr. Chairman—

The CHAIRMAN. The time of the gentleman has expired.

Mr. LIND. I ask unanimous consent that I may have a minute more.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that he may have one minute more. Is there objection? [After a pause.] The Chair hears none.

Mr. LIND. I say, Mr. Chairman, let the country have one year's respite, one session's respite from this work, and the membership of this House will enjoy it quite as much as our constituents. Then, if we want to go back to this miserable practice, let us reinstate it. Now we have the opportunity, without requiring individuals to go on record, to do the right thing. Let us embrace and improve this opportunity. That is all I have to say.

Mr. ROBINSON of Indiana. Mr. Chairman—

The CHAIRMAN. There is nothing before the committee. The gentleman from Minnesota was speaking by unanimous consent.

Mr. ROBINSON of Indiana. I ask unanimous consent that I may have five minutes.

Mr. FOSTER of Vermont. I object. I want to get something before the House.

Mr. WADSWORTH. Mr. Chairman, I now offer a substitute for the paragraph stricken out on the point of order.

The CHAIRMAN. The Clerk will read.

Mr. WADSWORTH. I will save time by stating to the House that on page 24, after line 9, I have reinstated that paragraph in detail with the exception of the lines at the top of page 25 commencing with the words "such franks to be furnished by the Public Printer" and ending on line 7 with the word "direct," in conformity to the ruling of the Chair.

Mr. CANDLER. Why does not the gentleman from New York read those words?

Mr. LIND. I object.

The CHAIRMAN. The gentleman has a right to offer the amendment.

Mr. LIND. I make the point of order against the amendment. Mr. BURLESON. Will the gentleman read the words that are to be stricken out?

Mr. WADSWORTH. These are the words, commencing on line 2, page 25:

Such franks to be furnished by the Public Printer as is now done for document slips with the names of Senators, Members, and Delegates printed

thereon, and the words "United States Department of Agriculture, Congressional seed distribution," or such other phraseology as the Secretary may direct.

The CHAIRMAN. The Chair understands the gentleman from New York to ask unanimous consent that the reading of the amendment be dispensed with.

Mr. WADSWORTH. Now I offer this as an amendment.

The CHAIRMAN. The Clerk will report the amendment in the nature of a substitute.

Mr. LIND. And on the amendment I make the point of order.

The Clerk proceeded to read the section.

Mr. BOWIE. I see no use in reading it. I ask unanimous consent that we dispense with the reading, it having been read once.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the reading of the substitute or amendment be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. BAKER. Mr. Chairman, I would like to know whether the amendment offered by the chairman of the committee is identical with the bill as reported.

The CHAIRMAN. No; it is not.

Mr. BOWIE. It strikes out the part subject to the point of order.

The CHAIRMAN. If identical, it would have required unanimous consent to offer it.

Mr. LIND. Mr. Chairman, I still reserve the point of order against the amendment offered as being different from existing law on the subject, and on that point I wish to be heard very briefly.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. LIND. The existing law on this subject is found in section 527 of the Revised Statutes. Has the Chair the Revised Statutes, section 527?

The CHAIRMAN. The Chair has read it.

Mr. LIND. The Chair will observe that it reads this way:

The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and uncommon to the country.

It shall be confined to such seeds as are rare and uncommon to the country, and this committee has no power to make an appropriation for a wholesale purchase of any sort or kind of seeds. If the chairman of the committee will offer an amendment of a reasonable amount to be expended in conformity with the section of the statute just read, I shall not object.

Mr. DE ARMOND. Mr. Chairman, it doubtless would be in accord with the spirit of the old law and would be very much better for all concerned if the seeds, plants, bulbs, cuttings, vines, etc., to be distributed were essentially of rare and valuable qualities and largely for the purpose of experimentation and introduction. I take it that under the provision of this bill as it stood and under the law as the law is the Secretary of Agriculture could invest the sum appropriated in securing those rare, valuable, and new things for distribution as the law provides. I take it that this provision as it stood in the first place, or as offered now as an amendment by the chairman of the Committee on Agriculture, does not require that the Secretary buy ordinary, cheap, or worthless seeds.

Whatever may be said theoretically about these things, and whether or not abuses may have sprung up, it is also true that many people in the country like to get packages of these seeds and put a value upon them higher, perhaps, than we do here in the House; and when we are dealing with the matter theoretically they deal with it practically. A good many of these seeds they find to be valuable—at least, they conclude they are valuable, and in the use of them by these people they prove so. A great many good varieties of seeds are introduced into neighborhoods where they are well adapted to the needs of the county, and, where once introduced, the seeds remain and are used year after year and perhaps generation after generation.

I believe while there may have been abuses in this matter, better judgment and more care may be exercised in it, and that the reform which knocks out entirely the appropriation is a reform on paper and in theory rather than a real reform, and that it appeals more to our own aesthetic notions than to the views and experiences of our constituents. I believe that if this amendment is to be restored it ought to be restored with the part stricken out in it. I do not know what objection there can be, if the seeds are to be distributed at all, to authorizing the Secretary of Agriculture, at the instance of a Member, to have blank slips prepared, with the Member's frank printed upon them and the name also of his State, if he chooses.

It is a convenience in distribution, and the cost of it is very trivial, and the objection to it is one I can not see. So, if this amendment, as offered by the chairman of the Committee on Agriculture, is to be considered before the House with a view of restoring to the bill part of the matter ruled out, I shall offer an amendment to the amendment to restore to it the other part stricken out.

Mr. LIND. If you will let me make a statement I will withdraw the point of order on that if the Chair holds that.

Mr. BOWIE. We want to get—

Mr. DE ARMOND. Now, I desire, Mr. Chairman, if it be in order, to submit an amendment to the amendment offered by the gentleman from New York, the chairman of the Committee on Agriculture, to restore to the bill this provision which has just been stricken out.

The CHAIRMAN. The Chair desires to state to the gentleman from Missouri that there is a point of order raised against the amendment presented by the gentleman from New York and the Chair thinks another amendment will not be in order until that point of order is decided.

Mr. DE ARMOND. I understood that point would be withdrawn, pending the offering of this amendment. I may be wrong about that.

The CHAIRMAN. The Chair will rule upon the point of order now, if nothing further—

Mr. DE ARMOND. Mr. Chairman, let me suggest this as to the amendment against which the point of order is made, that, subject to the point of order, if the gentleman will reserve the point of order, I would like to offer an amendment to the amendment, and let the committee consider that if it will.

Mr. LIND. I will say to the Chair that if the Chair should hold that the amendment offered by the chairman of the committee is in order, then I shall withdraw the point of order as to the other portion. If we are to retain this, I want to retain the whole machinery of the bill.

Mr. SHEPPARD. That, Mr. Chairman, was my position exactly in withdrawing the point of order.

The CHAIRMAN. As the Chair stated at first, this is a somewhat difficult question to decide, but in the opinion of the Chair the point of order raised by the gentleman from Minnesota against this amendment is not well taken, as a careful reading of the whole section of the statute will show. The Chair will read for the instruction of the House the whole of the section of the statute of which the gentleman from Minnesota read only a part. It is as follows:

SEC. 527. The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and uncommon to the country, or such as can be made more profitable by frequent changes from one part of our own country to another; and the purchase or propagation and distribution of trees, plants, shrubs, vines, and cuttings shall be confined to such as are adapted to general cultivation and to promote the general interests of horticulture and agriculture throughout the United States.

So the committee will see that the statute is somewhat broader than that part of it which was read by the gentleman from Minnesota. Now, the provisions here in the proposed amendment, the Chair thinks, are not necessarily in conflict with the statute when all of it is considered and its scope and purpose considered. The amendment reads:

And the Secretary of Agriculture is hereby directed to expend the said sum as nearly as practicable in the purchase, testing, and distribution of such valuable seed, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned.

The Chair does not think there is anything in that portion of the amendment which I have read which necessarily changes the original statute, or is it a change of existing law; and the Chair therefore overrules the point of order.

Mr. LIND. Then, Mr. Chairman, I withdraw my point of order as to the whole section. If necessary, I will ask unanimous consent that I may withdraw the point of order.

Mr. WADSWORTH. Mr. Chairman, if the House will adopt my amendment, I will ask unanimous consent that the paragraph mentioned by the gentleman from Missouri be reinserted.

Mr. DE ARMOND. I think the better way, Mr. Chairman, to get at that is to offer it as an amendment.

Mr. WADSWORTH. That is immaterial.

Mr. DE ARMOND. If you attempt to do it by unanimous consent it can be defeated by one Member. I offer it as an amendment, to insert in the amendment offered by the gentleman from New York that part of the original paragraph that was eliminated from it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 25, line 2, insert "such franks to be furnished by the Public Printer as is now done for document slips, with the names of Senators, Members, and Delegates printed thereon, and the words, 'United States Department of Agriculture, Congressional Seed Distribution,' or such other phraseology as the Secretary may direct."

The CHAIRMAN. The question is on the adoption of the amendment to the amendment.

Mr. SHAFROTH. Mr. Chairman, I disagree very much with the gentleman from Minnesota [Mr. LIND] and also with the gentleman from Texas [Mr. SHEPPARD] relative to the benefit of Government seed distribution. These gentlemen have overlooked, it

seems to me, the important element in the distribution of seeds, which is provided for in this section, and that is the transplanting of seeds from one portion of this great country to another. Any person who studies agriculture knows that the transplanting of ordinary seeds from one portion of the country to another, subjecting them to the various influences of climate and soil, is of great benefit and value to agriculture.

Mr. SHEPPARD. My amendment provides for that.

Mr. SHAFROTH. Yes; but it seems to me that the distribution of seeds, as the Government has been doing it, is of great value and should be continued. I want to state an experience that we have had in Colorado in the transplantation of ordinary seed. We grow in Colorado a melon called the Rocky Ford cantaloupe. It was produced by planting the ordinary seed in a different soil and under different conditions and subject to the influence of irrigation. Those seeds produced the finest cantaloupes in the world. They are shipped to the New York market and even to the London market. That transplantation was not only of benefit to the people in Colorado, but also to every State that has grown melons, because these seeds go back to the original place and there a superior melon is produced therefrom to that which was originally grown and from which the seed came. Do gentlemen say that that is not in the interest of the development of agriculture?

There have been other developments along the same lines. When we recognize that the 500 varieties of apples all originally came from the common crab apple, we must acknowledge that the transplanting of common seeds from one part of the world to another is of great value. When we take into consideration that the many varieties of peaches all came from one plant, a bitter plant that was supposed to be poisonous, we find what development is possible from transplantation and cultivation.

Within the last ten or fifteen years we have found great results from the transplanting of seed from one portion of the country with reference to sugar beets.

The quantity of saccharine matter contained in sugar beets has been doubled in the last fifteen years, and why? Because this ordinary seed has been transplanted from one portion of the country to another, development has taken place through cultivation under different climates and soils, and that very seed transplanted back to the original place from which it came has produced much sweeter beets; so that now the quantity of saccharine matter contained in sugar beets is double that which it was fifteen years ago. Is not that of advantage to agriculture? Is not that of immense benefit to the people of this country?

It may be said that this did not occur through Government distribution, but some of it evidently did. The Secretary of Agriculture has been very active in encouraging the transplantation and cultivation in different soils and climates of sugar-beet seed. It has produced great results, and I have no doubt that a large portion of it is due to the fact that it came through Government distribution. But, Mr. Chairman, it seems to me that what these gentlemen are complaining of is not even well founded from their standpoint. The farmers are not ridiculing the distribution of Government seeds. Every Member of Congress receives requests for them. I have never yet received one that indicated ridicule, and I doubt very much whether any Member of Congress has.

The people appreciate the distribution of the seeds, and they are continually reciting in letters to me that they have gotten good results; often, even, that they have preserved the seed grown therefrom, and that they have distributed the same among their neighbors. Is it possible that there is no benefit to agriculture in this? Mr. Chairman, it seems to me that from any standpoint, from the standpoint that we are giving a benefit to the farmer even if it would not produce development in cultivation, is wise, as the farmer does not get a fair distribution of the taxes that he is compelled to pay; and when we take into consideration the other fact that the transplanting and cultivation of these common seeds in various portions of the country produces wonderful development and wonderful benefit to agriculture, it seems to me no one ought to oppose the amendment that is offered. [Applause.]

Mr. ROBINSON of Indiana. Mr. Chairman, yielding to every other Member of the House his views upon this subject of seed distribution, I commend the spirit that seeks to guard against fraud and speculation in this branch of the service. I am not unmindful that our good Secretary of Agriculture was imposed upon to the extent of many thousands of dollars by seed sharks and looters whose scales were found wanting and who foisted on us and on our constituents false weights and bad seeds. But he seeks to secure good and rare seeds for distribution, and he went after the malefactors in true typical American-farmer fashion and exposed the swindle and made them disgorge. I stand up for the American farmer and want to strengthen the arm of and bear witness to the integrity of our Secretary of Agriculture, Mr. James Wilson, who seeks to bring to its highest efficiency this

system, which within moderate and reasonable bounds is to be commended. In this I think I only state the sentiment of our membership in the House.

This is not the first instance where there has been presented on this floor, nor throughout the country, an objection to the distribution of seeds. I remember a few years ago the metropolitan newspapers of the country took up the subject and by a system of promotion, encouraged and advanced by the seed houses and sellers, Congress was assailed by a flood of articles and by anonymous circulars and postal cards by professional promoters in large cities, who never went out in the country long enough to breathe its honest air, and we were asked in a form indicating that some good housewife had requested to send her a package of hairpins, or a card of buttons under our system of paternalism. In the same form somebody else would ask for rakes and spades and shovels, all unsigned, and the fruit of these hypocritical sentiment promoters.

Others went so far as to ask us for scoop shovels and road scrapers and thrashing machines and traction engines and all manner of farm implements; but at that time they were not thinking of from two to four hundred million to be spent in the isthmian canal for the commerce and shipping interests, a hundred million annually for Army, and a like sum for Navy, and the innumerable millions in all manner of undertakings; they could only see the comparatively few thousands for the encouragement of agriculture. This was the range of their vision and the range of their patriotism; this was the policy of the seed houses of the country who desired to sell to our farmer constituents and did not want the Secretary of Agriculture to advance and promote the farm industry by sending rare seeds to the various sections of the country.

At that time we had a Member who industriously wrote letters to the newspapers, and, prompted somewhat by the fact that he had large seed-selling interests in his district, his letters were molded to invite opposition to seed distribution. He received answers, and studiously throwing out those which did not agree with his notions he saved those to the contrary, and when he made the motion to strike out the seed distribution and argued it elaborately he asked to insert the sea of newspaper statements in his remarks, which was granted; but the House stood for it then by an almost unanimous vote, and that speech and those newspaper articles died away in the echoes and have never appeared to plague him in the agricultural State he represented.

For years this appropriation remained in the agricultural appropriation bill without question. It is producing its benefits throughout the country; we will go far if we heed the advice or the promotion of the various seed-industry interests and deny to the farmer the advantage of securing about the only thing he ever gets.

It is true that the boll-weevil appropriation of some thousands of dollars was for the farmer, and the appropriation to eradicate the foot-and-mouth disease, nearly \$300,000, was for the farmer, but at the same time it was for the consumers as well. Literature is in the same line, but outside of these appropriations, if you come to consider over it in your leisure, you will find that this is about all the American farmer gets out of the paternalism of the Government, while hundreds of millions go into other channels.

Under the rules I shall ask for a division when we come to a vote upon this proposition to see how Congress stands, and that we may then give notice to the country and to those masquerading under the hypocritical pretense of patriotism when they only selfishly look to sell more seed, and thus they may find out whether or not we are decisively in favor of it or against it. [Applause.]

Mr. LIND. Mr. Chairman, I move to strike out the last word. I shall not pursue this any further. I notice that my colleagues want the seeds, and it is well that they should have them; but I want to call attention to one thing that may set our farmer constituents to thinking.

Last year you appropriated \$270,000 for seeds; and I read from the Secretary's report that out of that \$270,000 \$42,000 in round numbers went for expenses, \$48,000 went to the Brown Bag Milling Company, \$1,600 for the purchase of bags, \$16,000 for miscellaneous expenses. Now, when you tell your farmer constituents that you are considering their welfare, and add by way of postscript that for every 5 cents' worth of seeds that you send home it costs the Government, including transportation, something like 20 cents, they may not think that the investment is so very patriotic.

I want to say to my friend from Colorado [Mr. SHAFROTH] that if this point of order had been sustained I should immediately, or whenever we reached the section, have offered an amendment providing that the \$290,000 which it was the design of the committee to devote to this purpose should be added to the appropriation for the agricultural colleges throughout the land. I did not propose to take a cent from the farmer; but I wanted to place the money where it would do the country and the great agricultural interests the most good.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Missouri [Mr. DE ARMOND].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is now upon the amendment in the shape of the paragraph as amended upon the motion of the gentleman from New York.

Mr. SHEPPARD. I rise to a parliamentary inquiry. Would not an amendment be now in order?

The CHAIRMAN. The Chair apprehends that the gentleman can offer an amendment after this vote.

Mr. SHEPPARD. I desire to amend the pending paragraph, and I understand that after it has been perfected the amendment will not be in order. Consequently I presume this is the time to submit my amendment.

The CHAIRMAN. An amendment to the pending amendment is in order.

Mr. BOWIE. I want to reserve all points of order on this amendment.

Mr. SHEPPARD. My amendment—which I desire to read myself, because I think I can make it more intelligible—proposes to add, after the words "United States," in line 19, page 24, the following:

Provided, That the purchase and distribution of seeds and plants by the Department of Agriculture shall be confined to such seeds as are rare, untried, and uncommon to the country, or such as can be or have been made more useful and more profitable by special breeding, or such seeds and plants as may be improved by transplantation from one part of the country to another.

Now, Mr. Chairman, on that amendment—

Mr. BOWIE. I wish to make a point of order on the gentleman's amendment.

The CHAIRMAN. Will the gentleman from Texas please send his amendment to the desk, so it may be read for the information of the committee?

Mr. BOWIE. I have not the slightest objection to the gentleman discussing his amendment, provided the point of order is not waived. Mr. Chairman, I simply want the point of order reserved in such a way that it will not be lost. If the gentleman from Texas can proceed to discuss his proposition without the point of order being waived, I have no objection.

The CHAIRMAN. The point of order having been reserved by the gentleman from Alabama [Mr. BOWIE], the gentleman from Texas is at liberty to proceed to discuss his amendment after it has been read.

Mr. SHEPPARD. Am I in order now for a few words of explanation?

The CHAIRMAN. The amendment of the gentleman from Texas will be read.

The amendment of Mr. SHEPPARD, as already read by him, was read by the Clerk.

Mr. SHEPPARD. Now, Mr. Chairman, I do not deny, nor have I ever denied—

Mr. HEPBURN. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The regular order is the point of order raised by the gentleman from Alabama [Mr. BOWIE] against this amendment.

Mr. SHEPPARD. I take it that I have the right to speak on the amendment.

Mr. SMITH of Kentucky. I understand that the gentleman from Alabama reserved the point of order; he did not actually make it.

Mr. BOWIE. I will give the gentleman unanimous consent, as far as I am concerned.

Mr. SHEPPARD. I regret very much that I have encountered the objection of the distinguished gentleman from Iowa. Am I in order, Mr. Chairman?

The CHAIRMAN. The gentleman is in order to discuss the point of order.

Mr. SHEPPARD. I have not denied the advantage of the Government distribution of seeds. My entire object has been to restore the original purpose of the distribution, the purpose which inspired the lawmakers of the country in the institution of the custom. My amendment follows almost absolutely the language of the organic law which creates the Department of Agriculture.

The gentleman has spoken of the advantages of transplantation. I do not deny them, and in that sense the present system, perhaps, is advantageous; but the fundamental vice of the present system lies in the fact that the Government of the United States enters into the open markets of the country as an ordinary purchaser of standard seeds of common character, whose qualities are already known and thoroughly established throughout the country. Consequently they contribute nothing to the scientific knowledge of the country. There can be absolutely no useful purpose subserved beyond the mere temporary sensation of pleasure which some few men may feel on receiving a communication from the Government.

Mr. THAYER. Mr. Chairman, I should like to ask the gentleman a question, if he is willing.

Mr. SHEPPARD. Certainly.

Mr. THAYER. I should like to know what seeds, bulbs, shrubs, vines, etc., that are now distributed would be excluded if the gentleman's amendment prevailed.

Mr. SHEPPARD. Well, we will say navy beans, for example.

Mr. THAYER. If they are grown in Texas and are replanted in Massachusetts, would you not have a right to do that under the statute as it is now?

Mr. SHEPPARD. If they can be improved by the transplantation.

Mr. THAYER. Who is to be the judge before you transplant them?

Mr. SHEPPARD. The Secretary of Agriculture, as he is the judge now.

Mr. THAYER. Then would he exclude them?

Mr. SHEPPARD. Let me read the original language of the law, in order to make my position plain. This is the creative law with reference to this seed distribution:

The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and uncommon in the country or such as can be made profitable by frequent changes from one part of our own country to another.

My amendment follows also the recommendations of the distinguished Secretary of Agriculture in his last report. Now, the Secretary of Agriculture himself states that the present seed distribution has departed absolutely from the original purpose; that it no longer subserves a scientific end. My object is simply to provide for the distribution of useful seeds, a distribution which will subserve a useful end.

The CHAIRMAN. Is the gentleman from Texas speaking to the point of order or to the merits of his proposition?

Mr. SHEPPARD. Mr. Chairman, I understood that my amendment was in order.

The CHAIRMAN. It has not yet been ruled upon.

Mr. SHEPPARD. I understood that the point of order was reserved.

The CHAIRMAN. The gentleman from Iowa [Mr. HEPBURN] asked for the regular order, which is the discussion of the point of order made by the gentleman from Alabama [Mr. BOWIE].

Mr. SHEPPARD. I will continue on the point of order and shall take up but very few minutes of the time of the House. I have not stood for the abolition of the distribution of seeds. It is provided for in the organic law, and if properly conducted it is of immense benefit to the agricultural masses of the country. But it is an insult to the agricultural masses to send to them at their expense seeds which play absolutely no part in determining the capabilities of the soil.

The CHAIRMAN. The gentleman is not discussing the point of order, and a demand has been made for the regular order.

Mr. SHEPPARD. Very well, Mr. Chairman, my views are before the House; but as I wish my remarks to be symmetrical and connected, I should like by unanimous consent to be allowed to conclude now.

Mr. SHAFROTH. Mr. Chairman, I ask unanimous consent that the gentleman be allowed five minutes.

Mr. WADSWORTH. I suggest to the gentleman that he obtain unanimous consent to extend his remarks in the RECORD.

Mr. SHEPPARD. I appreciate the implied compliment of the distinguished gentleman from New York.

Mr. SHAFROTH. I ask unanimous consent that the gentleman be allowed three minutes in which to conclude his remarks.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that the gentleman from Texas be allowed three minutes. Is there objection?

Mr. WADSWORTH. I ask for the regular order.

The CHAIRMAN. The regular order is demanded. The Chair is ready to rule upon this amendment. If the Chair has made no mistake, it is a verbatim copy of the law as it now exists. That being the case, it has been held that while it is unnecessary, and perhaps almost not good form, yet it is not strictly subject to a point of order. It is simply reenacting a portion of the United States Statutes.

Mr. WADSWORTH. Now I ask for a vote upon the amendment of the gentleman from Texas.

Mr. SHEPPARD. One or two words in further explanation of my amendment, which is now in order.

Mr. WADSWORTH. If the gentleman will pardon me—

Mr. SHEPPARD. Have I the permission of the gentleman to proceed?

Mr. WADSWORTH. How much time does the gentleman want? I move that all debate on this amendment and amendments thereto be closed in five minutes.

The CHAIRMAN. The gentleman from New York moves that

all debate on the amendment and amendments thereto be closed in five minutes.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Several MEMBERS. Division!

The committee divided; and there were—ayes 92, yeas 32.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Texas.

Mr. SHEPPARD. Mr. Chairman, I do not desire to occupy the time of the House very much further. I think that my position has been made plain. My idea is to improve and not to destroy the seed distribution, to restore its original character, to give it a scientific direction; in other words, to be fair with the American people. I have heard the statement here that this is perhaps the only thing that the farmer receives from the Government. If it is, it is certainly a humiliating condition that the only thing which the farmer receives from the Government is of so little practical benefit. I am sure that this amendment of mine puts into effect no revolutionary change. It meets the desires of the gentleman from Colorado; it meets the argument of every gentleman who has risen upon this subject.

Mr. BOWIE. Will the gentleman allow me to ask him a question?

Mr. SHEPPARD. Certainly.

Mr. BOWIE. I want to know how much benefit the gentleman's amendment will be to the law, if it is already the law, and the fact that it is the law is the reason why the amendment is ruled to be in order.

Mr. SHEPPARD. I understand that the appropriation bill, being subject to the point of order, which I, in a spirit of fairness that has not been reciprocated on the other side, withdrew, is an absolute outrage upon the original purpose of the distribution. This amendment will enable the appropriation to be of greater use to our constituents, and will enable Members to send to them seeds and plants which will determine the possibilities of the soil.

This was the original purpose of the seed distribution, a purpose which, although it may not be adopted to-day, will in the tide of the years be finally restored by Congress. There were three votes in the Committee on Agriculture against the present system. I congratulate the committee upon that fact, and while this amendment may be defeated now, the fact that the Government is going into the open market and buying indiscriminate amounts of standard seeds may lead to scandal. Already an investigation has been placed on foot by the gentleman from New York [Mr. FITZGERALD], but in some way it has been smothered. The object of my amendment is that this distribution may be placed on a scientific basis, in the hope that it may be so arranged that it will result in real value to the people. In that spirit I have offered this amendment.

Mr. CANDLER. Mr. Chairman—

Mr. WADSWORTH. What time is left?

The CHAIRMAN. The time has all expired. [Laughter.]

Mr. CANDLER. I was watching the clock, and I thought there were two minutes left.

Mr. GROSVENOR and others. Regular order!

Mr. CANDLER. We ought not to take two minutes away from the farmer. [Laughter and cries of "Vote!"]

Mr. ADAMS of Wisconsin. Mr. Chairman, I desire to make an inquiry in reference to this motion or this amendment. I make the parliamentary inquiry as to whether the amendment is drawn in such a form that it is a substitute or whether it is simply an insertion in the substitute?

Mr. PAYNE. It is an insertion.

The CHAIRMAN. It is the insertion, as an amendment to the amendment of the gentleman from New York, of a section of the Revised Statutes. The question is on the amendment offered by the gentleman from Texas to the amendment offered by the gentleman from New York.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New York, as amended.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. ROBINSON of Indiana. I call for a division.

The committee divided; and there were—ayes 122, yeas 3.

So the amendment as amended was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HEPBURN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments bill of the following title in which the concurrence of the House of Representatives was requested:

H. R. 10954. An act making appropriations to supply urgent

deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 3800. An act donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

General expenses, Bureau of Forestry: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, forest reserves, forest fires, and lumbering; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions, including the erection of the necessary buildings; to collect and distribute valuable economic forest-tree seeds and plants; for the employment of local and special agents, clerks, assistants, and other labor required in practical forestry and in conducting experiments and investigations in the city of Washington and elsewhere, and for collating, digesting, reporting, illustrating, and printing the results of such experiments and investigations; for the purchase of all necessary supplies, apparatus, and office fixtures; for freight and express charges, and traveling and other necessary expenses, \$363,000, of which sum not to exceed \$15,500 may be used for rent. And the employees of the Bureau of Forestry outside of the city of Washington may, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed fifteen days in any one year.

Mr. HEMENWAY. Mr. Chairman, on page 28, in line 14, after the word "buildings," I desire to offer the following amendment:

Provided, That the cost of any building erected shall not exceed \$500.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 28, in line 14, after the word "buildings," insert "Provided, That the cost of any building erected shall not exceed \$500."

Mr. WADSWORTH. I accept the amendment, Mr. Chairman.

The question was taken and the amendment was agreed to.

The Clerk read as follows:

General expenses of entomological investigations: Promotion of economic entomology; investigating the history and habits of insects injurious and beneficial to agriculture, horticulture, and arboriculture; ascertaining the best means of destroying those found to be injurious, including an investigation into the ravages of the codling moth and of the cotton-boll weevil and boll worm, with a view of ascertaining the best methods of their extermination; investigations in apiculture; investigations of the damage to forests and forest trees by insects; purchase of chemicals, insecticide apparatus, and other materials, supplies, and instruments required in conducting such experiments and investigations; for the employment of local and special agents, clerks, assistants, and other labor required in conducting experiments in the city of Washington and elsewhere, and in collating, digesting, reporting, and illustrating the results of such experiments; freight and express charges, and necessary traveling expenses; rent of building; for office fixtures and supplies, telegraph and telephone services; gas and electric current; preparing, illustrating, and publishing the results of the work of the division, \$12,000 of which shall be immediately available, \$65,500, of which amount not to exceed \$10,000 may, in the discretion of the Secretary of Agriculture, be expended for silk investigations.

Mr. STEPHENS of Texas. Mr. Chairman, I have an amendment to offer on that paragraph. In line 2, after the word "insects," I offer this amendment:

Investigation of the loco plant to find a means for its destruction.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 37, in line 2, after the word "insects," insert "investigation of the loco plant to find a means for its destruction."

Mr. WADSWORTH. Mr. Chairman, that would come under the Bureau of Plant Industry and not under the Bureau of Entomology.

Mr. STEPHENS of Texas. I find just ahead of that, "Investigations of the damage to forests and forest trees by insects." But if you say it comes under that head, I will wait and offer the amendment then. The loco plant, I may state, is a poisonous plant which is very destructive to horses and cattle, and it is spreading very rapidly in the cattle-growing regions of the United States, and has caused the loss of hundreds of thousands of dollars to the cattle raisers and also to the raisers of horses.

Mr. WADSWORTH. I would say to the gentleman from Texas that is already provided for on page 18, in line 23, under the head of "Botanical investigations and experiments: Investigations relating to medicinal, poisonous, fiber, and other economic plants, seeds, and weeds." Loco is a poisonous plant and comes under that class, and the Department is probably making investigations along that line.

Mr. STEPHENS of Texas. If the gentleman thinks it is sufficient—

Mr. WADSWORTH. I do.

Mr. STEPHENS of Texas. I will withdraw the amendment.

The Clerk read as follows:

General expenses, Bureau of Statistics: Collecting domestic and foreign agricultural statistics, compiling, writing, and illustrating statistical matter for monthly, annual, and special reports; special investigations and compilations;

subscription to, and purchase of, statistical and newspaper publications containing data for permanent comparative records; maps and charts; stationery, office supplies, blanks, blank books, circulars, paper, envelopes, postal cards, postage stamps, office fixtures, telegraph and telephone services, freight and express charges, including employment of labor in the city of Washington and elsewhere, and necessary traveling expenses: *Provided*, That the monthly crop reports issued on the 3d and 10th days of each month shall embrace statements of the conditions of the crops by States in the United States, with such explanations, comparisons, and information as may be useful for illustrating the above matter, and that it shall be submitted to and officially approved by the Secretary of Agriculture before being issued or published, \$122,500, of which not more than \$50,000 shall be expended for salaries in the city of Washington, D. C.

Investigations concerning the feasibility of extending the demands of foreign markets for the agricultural products of the United States, and to secure as far as may be a change in the methods of supplying farm products to foreign countries; employment of local and special agents, clerks, assistants, and other labor required in making investigations in the city of Washington and elsewhere, and in collating, digesting, reporting, and illustrating the results of such investigations; traveling expenses, and freight and express charges; telephone and telegraph services; and all necessary office fixtures and supplies, \$7,500.

Total for Bureau of Statistics, \$187,760.

Mr. BARTLETT. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by adding in line 11, page 43, at the end of said line, the following: "To pay observers who make statistical reports to the Bureau of Statistics of the condition of crops, and which are used in making up the monthly crop reports herein provided, \$100,000, or so much thereof as is necessary."

Mr. WADSWORTH. Mr. Chairman, I will have to raise the point of order on that. It is new legislation and increases expenditures.

Mr. BARTLETT. Do I understand the gentleman from New York—I did not hear him—makes the point of order?

Mr. WADSWORTH. I make the point of order that it is new legislation and increases expenditures.

Mr. BARTLETT. Well, Mr. Chairman, I am willing to confess that the point of order occurs to me to be good, but I was in hopes that the gentleman would not make it, at least yet—

Mr. WADSWORTH. I think the gentlemen are sufficiently rewarded with the public documents they received. There has been no complaint from them or any call for money.

Mr. BARTLETT. Mr. Chairman, I do not desire to violate any rule by speaking to the amendment while the point of order is up, but if the gentleman will permit me to say, while he reserves the point of order—

Mr. WADSWORTH. I will do that.

Mr. BARTLETT. I will not detain the House but a moment. This amendment, which I frankly confess is subject to the point of order, was made for the purpose of paying the gentlemen who are observers, who furnish the data for the Secretary of Agriculture upon which he bases his monthly report.

Mr. SCOTT. Will the gentleman permit a question?

Mr. BARTLETT. Yes.

Mr. SCOTT. Does the gentleman know the Secretary of Agriculture prefers not to have these men paid; that he made a statement before the committee that he would rather not pay them even if the money was appropriated?

Mr. BARTLETT. I did not know that, nor does that alter my view about it, with all due regard to the Secretary of Agriculture, for whom I have a very great respect and personal regard. I know this, that I have letters from one of those very competent gentlemen in my district, in which he stated that the Secretary had written him that he thought they ought to be paid and that effort would be made on this bill to provide for such payment. That is all I know about that. Now, the gentleman is correct when he states that the Secretary of Agriculture made that statement before the committee, but I am also correct in making the statement I have referred to as to what one of these gentlemen engaged in this business told me. I have a letter from him.

Mr. SCOTT. I will simply say that the Secretary stated to the committee that he thought he got better service on account of the fact that the services rendered were wholly voluntary; that the men who rendered it had pride in it and gave it better attention than if they were paid for it, and it eliminated also the idea of political patronage, so that the observers who served the Department in this respect were men of better grade than were likely to be obtained if it was a matter of salary.

Mr. BARTLETT. I do not think so, Mr. Chairman. These reports made by the voluntary observers are the most important basis upon which the Secretary issues upon the 2d and 10th of each month the report of the condition of the crops. Now, every one knows that so far as certain staple crops are concerned the reports of the Secretary of Agriculture on the 2d and 10th of each month have a most important bearing on the prices that these products bring in the market, and these reports ought to be as good as can be obtained. I do not believe that the Secretary of Agriculture is correct in his statement that you can get better

or more efficient services from anybody who does it free, without any compensation at all, than you can get by obtaining competent men who are paid something for the trouble they are put to in making these reports.

Now, Mr. Chairman, that is all I desire to say. I know it is subject to a point of order, but it seems to me that those who perform the services of such great benefit to the whole country ought to be compensated for it.

The CHAIRMAN. The gentleman himself admits that it is subject to a point of order, and the Chair sustains the point of order.

The Clerk read as follows:

And the Secretary of Agriculture is hereby authorized to employ such assistants, clerks, and other persons as he may deem necessary, in the city of Washington and elsewhere, and to incur such other expenses for office fixtures and supplies, stationery, traveling, freight and express charges, illustration of the Experiment Station Record, bulletins, and reports, as he may find essential in carrying out the objects of the above acts, and the sums apportioned to the several States shall be paid quarterly in advance; and the Secretary of Agriculture is hereby authorized to furnish to such institutions or individuals as may care to buy them copies of the card index of agricultural literature prepared by the Office of Experiment Stations, and charge for the same a price covering the additional expense involved in the preparation of these copies, and he is hereby authorized to apply the moneys received toward the expense of the preparation of the index; and the Secretary of Agriculture is hereby authorized to expend \$45,000 of which sum to establish and maintain agricultural experiment stations in the Territories of Alaska, Hawaii, and Porto Rico, including the erection of buildings, the printing (in Hawaii and Porto Rico), illustration, and distribution of reports and bulletins: *Provided*, That not more than \$15,000 shall be expended for the maintenance of such stations in any one of said Territories; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, and Porto Rico, and to apply the moneys received from the sale of such products to the maintenance of said stations; in all, \$810,000: *Provided*, That \$5,000 of this sum shall be used by the Secretary of Agriculture to investigate and report upon the organization and progress of farmer's institutes in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice.

Total for agricultural experiment stations, \$810,000.

Mr. ADAMS of Wisconsin. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend agricultural experiment station paragraph by striking out the words "eight hundred and ten thousand," in line 16, page 46, and inserting in lieu thereof the words "one million and fifty-five thousand," and by inserting after the word "dollars," in the sixteenth line of said paragraph, the words "and from the sum hereby appropriated for the maintenance of agricultural experiment stations in accordance with said acts \$20,000 shall be paid to each State and Territory entitled to the benefits of said acts."

Also amend by striking out the words "eight hundred and ten thousand" in the thirteenth and fourteenth lines, page 48, of same paragraph, and inserting the words "one million and fifty-five thousand."

Mr. WADSWORTH. Mr. Chairman, I reserve the point of order.

Mr. ADAMS of Wisconsin. Mr. Chairman, this amendment simply adds \$5,000 to the appropriation which each agricultural State experimental station now receives under the act of 1887. The act of 1887 was introduced by Mr. Hatch, of Missouri, for the purpose of establishing, through the aid of the Federal Government, agricultural experiment stations in the different States.

The total appropriation under that act by this amendment would only add \$240,000 to the appropriation provided in this bill, and I have asked for the passage of this amendment because the stations need the money; and I ask for it because they have done a work in the development of agricultural knowledge in making that knowledge specific, in making it valuable, in spreading it among the farmers of this country, which warrants a generous consideration on the part of the Federal Government.

The agricultural experiment stations have done more than any other one influence in the United States to bring the business of farming out of mists and fog and superstition and to put it in the realm of absolute ascertained fact. Any number of instances can be given of the specific things which these experimental stations have done. They have made a record which has been rich in value to the agriculture of the United States.

Take the one experimental station in Wisconsin and one single instance of the work which Professor Babcock did when he devised and worked out the Babcock test. Up to that time there had been no measure of the commercial value of milk, no simple way in which you could tell what milk was worth. A farmer who carried to the factory 100 pounds of milk containing 3 pounds of butter fat got as much money as the farmer who carried 100 pounds of milk that contained 5 pounds of butter fat and which was worth nearly twice as much. Mr. Babcock devised a simple test which any farmer can use, which can be used in any creamery or factory, and that test has gone all over the civilized world. It is used in Finland; it is used in England; it is used in France; it is used in Madagascar; it is used in South Africa; it is used everywhere where cows are milked to determine the value of that milk product.

Now, I want to say to you that the dairy product of the United

States amounts to \$500,000,000 every year, and it has been materially benefited by the introduction of this simple process. Mr. Babcock was urged by his friends, when he made that discovery, to withdraw from the Wisconsin University, to put this into use for his own benefit, and patent the process. If he had done so, he would have become a millionaire beyond any question. But he said, "I was employed by the Federal Government to work for the farmers of this country, and they are entitled to the fruit of my labor unhampered by the cost of a patent." This one discovery has been worth more to the dairy interests of the United States than it costs to run the National Government for six months.

Not only that, but look at what we have done with cheese up there. The Wisconsin experimental station has been studying the question of curing cheese and has found out that you can send your cheese direct to the cold storage, without the intervention of any curing room, and cure it and make the finest cheese that can be produced. These are practical things. Not only that, but in every State in this Union is this same work being carried on. In Texas they are working on the development of beef breeds of cattle and in food. Up in Minnesota they are developing new varieties of wheat. In New York they are bringing out new ideas respecting the cultivation of orchards.

In Minnesota, again, they are studying the question as to the nutritive value of food, and in all the experimental stations of the United States they are studying those practical questions which lie right at the base of farm life. And I want to say to you, gentlemen, it seems to me that when we come in here and ask for a little addition of \$240,000 to this appropriation for this work which is so definite and so specific and so productive of great practical results we can hardly afford to deny the request, because we have the money. We saved it for the people of this country when we turned back our mileage account. That alone is sufficient. [Applause and laughter.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. WADSWORTH. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for five minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the gentleman from Wisconsin may be permitted to proceed for five minutes more. Is there objection?

There was no objection.

Mr. ADAMS of Wisconsin. Mr. Chairman, let me call the attention of gentlemen here who may think they are economical in opposing an appropriation like this to the fact that you appropriate millions of dollars to establish a Department of Commerce and Labor, without which this Government was run very well for a hundred years. I am glad you did it; I am for it. You passed an appropriation bill giving \$136,000,000 to the pensioners of the wars of this country, and you did well. You go head over heels into the Panama Canal scheme, almost without a division, which means a certain expenditure of \$200,000,000 and a probable expenditure of \$500,000,000, and I am with you.

You do some other things. You provide for the building of a battle ship which costs \$4,000,000, and which will rust upon the waters unless somebody gets foolish, and I think you do well. You give \$5,000,000 to the St. Louis Exposition, where the industries and genius of America will be exhibited, and I think you do well; but when we come in here and ask for only \$240,000 to add to the appropriation for these little experimental stations that are working out practical problems that lie around the lives of 9,000,000 men who toil on the farms of this country, it seems to me we are not asking too much.

I do not want to whoop it up for the farmer. I do not want to dazzle you with a lot of statistics, but this thing I do want to say about the farmers of this country: There are a lot of them, and you never hear of a lot of farmers engaged in rioting. They are the defenders of law. You never hear of a lot of farmers organizing a trust to harm anybody; and in the conflicts which are to come in this country and are certain to come between the power of capital and the power of labor the American farmer will be the man who is going to do the country the most good, because he represents not only the interests of labor but the interests of capital as well.

You are going to need him, and he will be there to stand for the dignity of American law, for the rights of property, and the rights of the men who toil; and so when in Congress you can do something like this which is definite, which does not take very much money, for Heaven's sake do it, because the American farmer and our agricultural interests deserve it. [Applause.]

Mr. WADSWORTH. Mr. Chairman, I regret very much after hearing the gentleman's eloquent speech to still feel compelled to raise the point of order that the proposed amendment changes existing law.

The CHAIRMAN. As the Chair understands the amendment

it changes the law on the statute books to-day, which gives \$20,000 each to agricultural colleges. That is clearly a change of existing law, and the point of order is sustained.

The Clerk read as follows:

Public road inquiries: To enable the Secretary of Agriculture to make inquiries in regard to the systems of road management throughout the United States; to make investigations in regard to the best methods of road making, and the best kinds of road-making materials in the several States; to conduct experiments; for the employment of local and special agents, clerks, assistants, and other labor required in the city of Washington and elsewhere; for collating, digesting, reporting, and illustrating the results of such investigations and experiments; for preparing, publishing, and distributing bulletins and reports; for necessary office fixtures and supplies, apparatus, and materials; telegraph and telephone service, traveling, and other necessary expenses, and to enable him to assist the agricultural colleges and experiment stations in disseminating information on this subject, \$35,000.

Mr. HEPBURN. I wish to ask the gentleman in charge of the bill [Mr. WADSWORTH] whether this sum of \$35,000 is the amount asked for by the Department?

Mr. WADSWORTH. No; the Secretary asked for \$65,000, but we gave \$10,000 to the Bureau of Chemistry. If the gentleman will turn back to that—

Mr. HEPBURN. Well, that is understood, then?

Mr. WADSWORTH. The total appropriation here for good roads amounts to \$45,000.

Mr. HEPBURN. Would you object to having this appropriation increased to \$55,000?

Mr. WADSWORTH. I would seriously, because I think good and efficient work is being done under the present appropriation.

Mr. HEPBURN. I move to amend by striking out \$35,000 and inserting \$55,000. I make this motion because I know there is scarcely any subject that is receiving more attention throughout the country at large just now than this subject of good roads. I think there is less known perhaps about the making of good roads, in some parts of the country at least, than almost any other subject. The Department is doing good work, but would do very much better work if it had larger means at its disposal for this purpose.

Mr. BOWIE. Does the gentleman from Iowa [Mr. HEPBURN] understand that this is really an increase of \$10,000 net for this service, because the \$10,000 which has heretofore been used for chemical work has been transferred to another division, so that the appropriation here is net, making a real increase of \$10,000?

Mr. HEPBURN. I understood that to be the statement of the chairman of the committee [Mr. WADSWORTH], that this was practically an increase.

Mr. BOWIE. Yes; practically an increase of \$10,000.

Mr. HEPBURN. I do not care to take up the time of the committee, but I do think this is a matter of importance, and I hope the Committee of the Whole will sustain my amendment.

Mr. WADSWORTH. I will only say to the gentleman that the Committee on Agriculture took this matter into very careful consideration, and the increase practically granted is \$10,000. I take it that nobody on the floor of this House is ready yet to have the United States Government go into localities in the several States and build roads. All that the United States ought properly to do is to disseminate information in regard to the building of roads, and perhaps with the aid of the localities to furnish an object lesson in road making. That is as far as the United States Government ought to go. Thirty-five thousand dollars, which, as already stated, is practically an increase of \$10,000, is, in the judgment of the committee, an ample appropriation for this work.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. WADSWORTH. I will.

Mr. TAWNEY. The gentleman from Iowa [Mr. HEPBURN] has stated what every Member of the House knows—that there is a very strong pressure for legislation upon the subject of good roads—and the gentleman from New York himself has expressed the fear that this pressure might become so strong as to increase very materially the appropriations along that line.

Mr. WADSWORTH. When did I express that fear?

Mr. TAWNEY. A moment ago. Do you not think it a fact that if we expend a little more money in the matter of investigation such as the Agricultural Department is now making, it will tend to satisfy the Department to a very great extent?

Mr. WADSWORTH. I do not think so.

Mr. TAWNEY. And do you not think that if in the judgment of the Secretary of Agriculture it is necessary that a certain amount should be appropriated, it ought to be done?

Mr. WADSWORTH. Not necessarily, no. The committee and the Secretary of Agriculture have many honest differences of opinion as to the amount of money that can be judiciously expended within the fiscal year.

It must be remembered that this appropriation has been going on for a series of years, and will go on probably for a good many years after we are all dead. The question for this Committee of the Whole to meet here and now is how much money can be judiciously expended in the coming fiscal year.

Mr. TAWNEY. Is it not a fact that information on this subject is being disseminated more largely than it was?

Mr. WADSWORTH. I think that a certain sentiment is being "worked up" on this subject. Many of the letters I get show evidence of being worked up by some influence here.

Mr. HAUGEN. Is it not understood that the additional appropriation asked for here is for the purpose of building these sample roads; and is not the appropriation we now make sufficient to carry on the work that is now being carried on by the Department?

Mr. HEPBURN. So far as I am concerned, I have no direct information as to how the Secretary would expend this money. But he has said that he could judiciously and properly spend \$60,000 in making this inquiry with the machinery that he now has. I think, with due deference to the committee, that I would rather have his opinion as to what amount it is proper to expend in making the inquiry than the opinion of gentlemen who are not nearly so conversant with the possibilities.

Mr. WADSWORTH. If that is true, I will say to the gentleman from Iowa that there is no use in having any committees.

Mr. HEPBURN. Oh, yes, there is. This is no reflection upon the committee.

Mr. WADSWORTH. If the judgment of a Cabinet officer is better than that of any committee of this House, then there is no need of any committee.

Mr. HEPBURN. I think the gentleman is supersensitive about it.

Mr. WADSWORTH. Let me say to the gentleman that since 1895-96 that investigation, which commenced with an appropriation of \$10,000, has received increasing appropriations until it is now practically \$45,000 in seven years. With the work they have done and are doing, and the work they will continue to do, I think every demand of the country will be met by this appropriation.

Mr. HEPBURN. Mr. Chairman, this is not a very large addition. The Secretary has said that he can properly use it. I believe that the great majority of the gentlemen in this committee have confidence in what he says. We think, however, that this will be properly expended, and therefore it is that I insist upon my amendment. I also insist that there is no reflection upon the committee, and that to agree to this amendment would not be tantamount to declaring that the great Committee of Agriculture is not important, that it does not accomplish great good, and that the country would not seriously suffer if anything should happen to it or to its efficiency.

I am not attacking the committee; I am simply saying that there is another person in the country with larger information, with better opportunities to know what he can judiciously do, than any one of them or all of them, who has disagreed with them, and I for one coincide with his opinion rather perhaps than with that more learned and astute opinion of the gentleman from New York.

Mr. WADSWORTH. One moment. I wish to call attention to the note in the estimate on the paragraph for road experiments. One of the things sought by getting the larger appropriation is "object lessons in road building," "the purchase of machinery," and going absolutely into the road-building business. Now, the committee objected to that and struck out that language, and simply confined it to disseminating knowledge in regard to road building.

Mr. HEPBURN. Yes; but you are unwilling that they should acquire this knowledge. This appropriation perhaps will enable them to secure that information that everybody wants.

Mr. HAUGEN. Mr. Chairman, just a word. I wish to say in reply to the gentleman from Iowa [Mr. HEPBURN] that the Committee on Agriculture have the utmost confidence in the Secretary of Agriculture. This committee have labored for more than a month, in sessions from 10 o'clock in the morning until 6 in the evening. We have given extensive hearings. Here is a volume of 451 pages.

All of these matters have been carefully considered, and after listening to the Secretary and the gentleman in charge of this division, Mr. Dodge, the committee concluded that the \$35,000 was all that could be judiciously expended at this time. Now, if it is a proposition here to build these roads, as has been suggested, is the gentleman from Iowa now ready to build roads in Iowa at an expense of three hundred or four hundred million dollars? If that is the policy, then let us increase the appropriation.

Mr. HEPBURN. Mr. Chairman, there is no similarity between the proposition that I have made and this inane proposition of expending three or four hundred million dollars in building roads. I do not want anything of that kind. I have not advocated it. What I want is the information, properly acquired, and then disseminated throughout the country that will enable localities to build their own roads. I have not been an advocate of road building by the Federal Government.

I have never said anything of that kind here or elsewhere, but

I do think that there can be no wiser expenditure of money than the expenditure of this additional \$20,000 in securing the information upon this subject that is wanted in all parts of the country.

Mr. HAUGEN. My understanding is that if the total amount asked for is allowed a portion of that money will be used for the building of these expensive roads and the purchase of machinery. The committee did not deem it advisable to go into the building of these expensive roads at this time.

Mr. WADSWORTH. Let me say one word. In addition to that appropriation there are from \$1,500 to \$3,000 expended for printing the good-roads bulletins, so that you must add that to the cost of the good-roads bureau.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. HEPBURN].

The question was taken; and upon a division there were—ayes 40, noes 48.

Accordingly the amendment was rejected.

The Clerk resumed and completed the reading of the bill.

Mr. WADSWORTH. Mr. Chairman, I ask unanimous consent to turn back to page 18, and in line 17 to insert the word "five" instead of the word "three;" so that it shall read:

Forty thousand dollars, \$5,000 of which sum may, in the discretion of the Secretary, be expended in cooperation with the experiment station of the State of California for studying the nature of Anaheim and other diseases of vines, and for ascertaining the best means for protecting vineyards against their ravages.

I do this at the earnest request of the gentleman from California [Mr. BELL] and other gentlemen of that delegation, who claim that this disease, Anaheim, is a serious threat to their industry. It does not increase the total appropriation, but simply makes \$5,000 available for this investigation instead of three thousand.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none. The question is on the amendment offered by the gentleman from New York.

The question was taken; and the amendment was agreed to.

Mr. WADSWORTH. Now, Mr. Chairman, I move that the committee rise and report the bill, with the amendments, to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. POWERS of Maine, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11825 and had directed him to report the same back with amendments, with the recommendation that the amendments be adopted, and that the bill as amended do pass.

Mr. WADSWORTH. Mr. Speaker, I move the previous question on the bill and amendments to its final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any of the amendments? If not, they will be submitted in gross.

The amendments were agreed to in gross.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. WADSWORTH, a motion to reconsider the vote by which the bill was passed was laid on the table.

AGRICULTURAL EXPERIMENT STATIONS.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Printing, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith the Annual Report of the Office of Experiment Stations, prepared under the direction of the Secretary of Agriculture, which includes a report on the work and expenditures of the agricultural experiment stations in the United States for the fiscal year ended June 30, 1903, in accordance with the act making appropriations for the Department of Agriculture for the said fiscal year.

The attention of the Congress is called to the request of the Secretary of Agriculture that 5,000 copies of the report be printed for the use of the Department of Agriculture, and that provision be made to print such a report annually.

THEODORE ROOSEVELT.

WHITE HOUSE, February 5, 1904.

ENROLLED BILLS PRESENTED TO THE PRESIDENT.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 98. Joint resolution to provide for the removal of snow and ice from the streets, cross walks, and gutters of the District of Columbia.

ENROLLED BILLS SIGNED.

Mr. WACHTER also, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same.

H. R. 6331. An act granting an increase of pension to James N. Dickey.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 707. An act to amend an act entitled "An act providing the terms and places of holding the courts of the United States in the district of Minnesota, and for other purposes," approved April 26, 1890.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3916. An act to amend section 2699 of the Revised Statutes, relating to compensation of collectors of customs—to the Committee on Ways and Means.

S. 4122. An act to direct the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and for other purposes—to the Committee on the Census.

S. 3800. An act donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold—to the Committee on Military Affairs.

WITHDRAWAL OF PAPERS FROM FILES.

Mr. KENNEDY obtained unanimous consent to withdraw from the files, without leaving copies thereof, the papers in the case of Henry Weimit, Fifty-seventh Congress, no adverse report having been made thereon.

ADJOURNMENT OVER UNTIL MONDAY.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourn to-day it adjourn to meet on Monday next.

The question was taken, and the motion was agreed to.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until Monday next.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James Keizer, administrator of estate of James Glover, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Variety*, Micah Dyer, master—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Waccamaw River, North Carolina and South Carolina—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DE ARMOND, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 8681) to detach the county of Linn, in the State of Missouri, from the western and attach it to the eastern judicial district of said State, reported the same with amendment, accompanied by a report (No. 730); which said bill and report were referred to the House Calendar.

Mr. SHAFROTH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11812) relating to applications, declaratory statements, entries, and final proofs under the homestead and other land laws, and to confirm the same in certain cases when made outside of the land district within which the land is situated, reported the same without amendment, accompanied by a report (No. 731); which said bill and report were referred to the House Calendar.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 8160) to declare a portion of the Minnesota River, in the State of Minnesota, not navigable, and authorizing the construction of bridges thereon, reported the same with amendment, accompanied by a report (No. 732); which said bill and report were referred to the House Calendar.

Mr. CRUMPACKER, from the Committee on the Census, to

which was referred the bill of the House (H. R. 11823) to authorize the Director of the Census to cooperate with the secretary of state of the State of Michigan and with officials of other States in taking the census of manufactures, reported the same without amendment, accompanied by a report (No. 733); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 462) to construct and place a light-ship off the outer bar of Brunswick, Ga., reported the same with amendment, accompanied by a report (No. 734); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HERMANN, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 1490) to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota, reported the same with amendment, accompanied by a report (No. 735); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LORIMER (by request): A bill (H. R. 11878) in relation to national mortgage banks—to the Committee on Banking and Currency.

By Mr. TAWNEY: A bill (H. R. 11879) to provide for the consolidation and reorganization of customs collection districts—to the Committee on Ways and Means.

By Mr. BARTLETT: A bill (H. R. 11880) to provide for the recutting of the great seal of the United States from the original model—to the Committee on the Judiciary.

By Mr. FULLER: A bill (H. R. 11881) granting pensions to soldiers and sailors who served in the war of the rebellion, and to the widows of such soldiers and sailors—to the Committee on Invalid Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 11882) to provide public convenience stations in the city of Washington, D. C.—to the Committee on the District of Columbia.

By Mr. RIDER: A bill (H. R. 11883) to provide for free lectures to the people in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SOUTHARD: A bill (H. R. 11884) providing naval training station on Put in Bay Island, in Lake Erie—to the Committee on Naval Affairs.

Also, a bill (H. R. 11885) to amend section 914 of the Revised Statutes of the United States, relating to practice in the circuit and district courts—to the Committee on the Judiciary.

By Mr. DAVIS of Minnesota: A bill (H. R. 11886) for the erection of a public building at Faribault, Minn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 11887) to provide for the investigation of infectious diseases of domestic animals prevalent in the State of Minnesota and adjoining States—to the Committee on Agriculture.

By Mr. HEARST: A bill (H. R. 11888) to empower United States attorneys, without the direction of the Attorney-General, to enforce the act to protect trade and commerce against unlawful restraints and monopolies, and for other purposes—to the Committee on the Judiciary.

By Mr. FLOOD: A bill (H. R. 11889) for the relief of the tobacco growers—to the Committee on Ways and Means.

By Mr. WANGER: A bill (H. R. 11890) granting pensions to certain soldiers and sailors who served in the war of the rebellion, and their widows—to the Committee on Invalid Pensions.

By Mr. ALLEN (by request): A bill (H. R. 11953) to establish a public park on Columbia Heights and to make a new street on its western boundary—to the Committee on the District of Columbia.

By Mr. AIKEN: A bill (H. R. 11954) to establish in the Department of Agriculture a bureau to be known as the Bureau of Public Highways, and to provide for national aid in the improvement of the public roads—to the Committee on Agriculture.

By Mr. GIBSON: A bill (H. R. 11955) for the erection of a public building at Harriman, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A resolution (H. Res. 204) asking the Secretary of the Interior to furnish certain information relating to Indian affairs in the Indian Territory to the House of Representatives—to the Committee on Indian Affairs.

By Mr. STEVENS of Minnesota: A resolution (H. Res. 205) authorizing the purchase of 40 copies of the Compiled Statutes of the United States for 1901, with the Supplement for 1903—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BATES: A bill (H. R. 11891) granting an increase of pension to James L. Hart—to the Committee on Invalid Pensions. Also, a bill (H. R. 11892) granting a pension to Clinton G. Ames—to the Committee on Invalid Pensions.

By Mr. BENNY: A bill (H. R. 11893) for the relief of George W. Spencer—to the Committee on Military Affairs.

By Mr. BRADLEY: A bill (H. R. 11894) granting an increase of pension to Jeremiah Sheldon—to the Committee on Invalid Pensions.

By Mr. BREAZEALE: A bill (H. R. 11895) for the relief of the First Baptist Church of Mansfield, La.—to the Committee on War Claims.

By Mr. BUCKMAN: A bill (H. R. 11896) granting an increase of pension to Giles A. Woolsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11897) granting an increase of pension to Samuel H. Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11898) granting a pension to Bailey D. Judkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11899) granting a pension to May L. Whitney—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 11900) for the relief of Shadrack H. Wren, of Izard County, Ark.—to the Committee on War Claims.

By Mr. DANIELS: A bill (H. R. 11901) for the appropriation of water from the Colorado River for irrigation purposes—to the Committee on Irrigation of Arid Lands.

By Mr. GUDGER: A bill (H. R. 11902) for relief of Mrs. Mary Gaddy—to the Committee on Claims.

By Mr. HEDGE: A bill (H. R. 11903) granting a pension to Bertha C. Hoffmeister—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 11904) granting an increase of pension to Benjamin Hayden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11905) granting a pension to Rebecca Butler—to the Committee on Invalid Pensions.

By Mr. HENRY of Texas: A bill (H. R. 11906) granting a pension to Margaret Jones—to the Committee on Pensions.

By Mr. HOGG: A bill (H. R. 11907) granting an honorable discharge to Thomas B. Hanoum—to the Committee on Military Affairs.

Also, a bill (H. R. 11908) for the relief of the legal representatives of G. B. Stimpson—to the Committee on Claims.

By Mr. JACKSON of Ohio: A bill (H. R. 11909) granting a pension to Charles H. McCleary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11910) granting an increase of pension to Florian Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11911) granting an increase of pension to John F. Zeller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11912) granting an increase of pension to Henry Balskey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11913) granting an increase of pension to Erwin M. Bergstresser, now Erwin M. Harley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11914) granting an increase of pension to Charles F. Keyerleber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11915) granting an increase of pension to Patrick Connors—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11916) granting an increase of pension to Alfred Williamson—to the Committee on Invalid Pensions.

By Mr. KENNEDY: A bill (H. R. 11917) granting a pension to Henry Law—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11918) granting an increase of pension to Henry Older—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11919) granting an increase of pension to William F. Tarbet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11920) granting an increase of pension to Joseph P. Boals—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11921) granting an increase of pension to Alfred Snowberger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11922) granting an increase of pension to George Fetterman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11923) granting an increase of pension to George J. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11924) granting an increase of pension to Andrew J. Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11925) granting an increase of pension to Ludwig Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11926) granting an increase of pension to Andrew Kinkade—to the Committee on Invalid Pensions.

By Mr. KLINE: A bill (H. R. 11927) granting a pension to Paul Smith—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 11928) for the relief of James T. Kilbreth, George R. Bidwell, and Nevada N. Stranahan, as collectors of customs for the district and port of New York—to the Committee on Claims.

By Mr. LANNING: A bill (H. R. 11929) granting an increase of pension to William Antes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11930) granting an increase of pension to Virginia Hart Clark—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 11931) granting an increase of pension to B. W. Burnham—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 11932) granting a pension to Hannah Small Wiggin—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 11933) for the relief of Samuel W. Evans—to the Committee on Naval Affairs.

Also, a bill (H. R. 11934) for the relief of the legal representatives of the late firm of Lapène & Ferré—to the Committee on War Claims.

By Mr. MONDELL: A bill (H. R. 11935) granting an increase of pension to John Watson—to the Committee on Invalid Pensions.

By Mr. MCCARTHY: A bill (H. R. 11936) granting an increase of pension to John L. St. Clair—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 11937) granting an increase of pension to Daniel Spurrier—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Arkansas: A bill (H. R. 11938) for the relief of Thomas J. Estes—to the Committee on Military Affairs.

Also, a bill (H. R. 11939) granting an increase of pension to C. C. Fisher—to the Committee on Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 11940) granting a pension to Mathias Hilden—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 11941) granting an increase of pension to John H. Burrowes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11942) granting a pension to William J. F. Barcus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11943) granting a pension to Mary J. Chenoweth—to the Committee on Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 11944) for the relief of John W. McCrath—to the Committee on Claims.

By Mr. THOMAS of Iowa: A bill (H. R. 11945) granting an increase of pension to John Westfall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11946) granting an increase of pension to Henry P. Swartz—to the Committee on Invalid Pensions.

By Mr. VAN DUZER: A bill (H. R. 11947) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada—to the Committee on Claims.

Also, a bill (H. R. 11948) granting a pension to Charles F. J. Stein—to the Committee on Pensions.

By Mr. WACHTER: A bill (H. R. 11949) granting a pension to Katesbury R. Warrington—to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 11950) for the relief of William E. Murray—to the Committee on Claims.

By Mr. GIBSON: A bill (H. R. 11951) granting an increase of pension to Henry N. McLane—to the Committee on Invalid Pensions.

By Mr. DUNWELL: A bill (H. R. 11952) for the relief of Noah L. Cochen—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of Apperson Post, No. 202, Grand Army of the Republic, of Neoga, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ADAMSON: Resolution of Lodge No. 649, Brotherhood of Railway Trainmen, of Columbus, Ga., indorsing the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. BARTHOLDT: Resolution of St. Louis Merchants' Exchange, in favor of increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Cramer Dry Plate Company, of St. Louis, in favor of a reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, petition of Pacific Lodge, No. 64, Brotherhood of Rail-

road Trainmen, in favor of bills H. R. 89 and 7041—to the Committee on the Judiciary.

By Mr. BARTLETT: Memorial and resolution of the general committee of the Daughters of the American Revolution, for the recutting of the Great Seal of the United States from the original model—to the Committee on the Judiciary.

By Mr. BASSETT: Resolution of the New York State assembly, relative to a bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. BEALL of Texas: Petition of Rev. R. S. Selle and others, of Dallas, Tex., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BENNY: Paper to accompany bill to correct military record of George W. Spencer—to the Committee on Military Affairs.

By Mr. BRUNDIDGE: Protest of business men of Swifton, Ark., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of A. F. Smith and 85 others, J. B. Hammier, M. D., and 45 others, and Prof. W. A. Cunningham and 40 others, of Searcy, Ark., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, papers to accompany claim of Shadrach H. Wren—to the Committee on War Claims.

By Mr. BURKETT: Resolutions of organized agriculture and several agricultural societies of Nebraska, indorsing bill H. R. 8678, relative to experiment stations—to the Committee on Agriculture.

By Mr. BURNETT: Petition of V. M. Brindley and 61 other voters of Collensville, Ala., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BUTLER of Pennsylvania: Resolution of Elizabeth Temple Post, No. 138, and John Brown Post, No. 194, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: Resolution of John Buford Post, No. 89, Grand Army of the Republic, Everett, Wash., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. CALDWELL: Resolutions of Decatur Lodge, No. 414, Brotherhood of Railroad Trainmen, of Decatur, Ill., in favor of the passage of bills H. R. 89 and 7041—to the Committee on the Judiciary.

Also, petition of business men of Edinburg, Ill., and of Nokomis, Ill., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CANDLER: Petition of Rev. James H. Felts and 587 others, of Corinth, Miss., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CRUMPACKER: Petition of the First Presbyterian Church, William H. Wilson, pastor, of Michigan City, Ind., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DALZELL: Petition of Susan H. Evans and others, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DAVIS of Minnesota: Resolution of Michael Cook Post, No. 123, Grand Army of the Republic, Faribault, Minn., in favor of service-pension bill—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolution of the Central Federation of Labor, of Troy, N. Y., in favor of bill H. R. 6—to the Committee on Ways and Means.

By Mr. DUNWELL: Resolution of G. K. Warren Post, No. 286, Grand Army of the Republic, of Brooklyn, N. Y., and of memorial and executive committee, representing 31 posts in Brooklyn, N. Y., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of the New York State assembly, relative to the promotion of efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. GAINES of West Virginia: Petition of Theodore Alverd, State superintendent, and others, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GARDNER of Massachusetts: Resolutions of Charles Sumner Post, No. 101, of Groveland; A. W. Bartlett Post, No. 49, of Newburyport; Preston Post, No. 118, of Beverly Farms; John H. Chipman Post, No. 89, of Beverly; Colonel C. R. Mudge Post, No. 114, of Merrimac; Major How Post, No. 47, of Haverhill, and Phil A. Sheridan Post, No. 84, of Salem, all in Massachusetts, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Petition of W. W. Howe, to accompany bill H. R. 1430, for refund of taxes illegally paid—to the Committee on Claims.

Also, petition of Samuel Wymond Cooperage Company, of Aurora, Ind., against passage of bill to limit the word "conspiracy," and for other purposes—to the Committee on the Judiciary.

Also, petition of the Blish Milling Company, of Seymour, Ind., for the passage of bill H. R. 6273, to prevent the discrimination in freight between localities and commodities—to the Committee on Interstate and Foreign Commerce.

By Mr. GROSVENOR: Petitions of H. H. Stine and 14 others, and G. W. Walker, jr., and 43 others, of Roseville, Ohio, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church officials and 21 other voters of Athens, Ohio, urging the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HENRY: Petition of W. W. Woodson and 94 others, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEPBURN: Petition of S. Samson and 70 other voters of Van Wert, Iowa, urging the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HERMANN: Petition of citizens of Oregon, against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of the mayor of Woodburn, Oreg., for increasing pay of rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HINSHAW: Petition of pastors of churches for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HITT: Resolutions of Polo Post, No. 84, of Polo, Ill., and J. M. Smith Post, No. 720, of Mount Morris, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HOGG: Petitions of Rev. B. E. Hart and 32 others, of Canyon City, Colo.; Rev. J. B. Cook, representing a church membership of 550, and William L. Perry and 60 others, of Cedaredge, Colo., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Petitions of Rev. Alfred Wagg and 43 others, of Red Bank, N. J.; Rev. J. H. White and 8 others, of Asbury Park, N. J., and Thomas W. Leonard and 33 others, of Atlantic Highlands, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUGHES of New Jersey: Resolutions of Henry W. Slocum Post, No. 55, of New Jersey, and James B. McPherson Post, No. 52, of Hackensack, N. J., Grand Army of the Republic, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of B. J. Morgan and 16 others; William McConnell and 14 others, of Stanhope, N. J., and James Wiley and 43 others, of Patterson, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. JACKSON of Ohio: Papers to accompany bill to increase pension of Florian Smith—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of Charles H. McCleary—to the Committee on Invalid Pensions.

By Mr. KEHOE: Petition of sundry farmers of Bourbon County, Ky., indorsing bill H. R. 9669, relative to the adulteration of blue grass, orchard grass, and clover seed—to the Committee on Agriculture.

By Mr. LANNING (by request): Petition of General Assembly of Presbyterian Church in the United States, relative to issuance of tax receipts by the Federal Government in prohibitory States, etc.—to the Committee on the Judiciary.

By Mr. LAWRENCE: Petition of Rev. J. W. Stephan and 29 others, of Greenfield, Mass., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LITTLEFIELD: Petition of B. H. Davis and 24 others, of New Sharon, Me.; Rev. H. S. Trueman and 43 others, of Kingfield, Me.; C. N. Blanchard and 39 others, of Wilton, Me.; George C. Buntington and 29 others, of Farmington, Me., and F. L. Porter and 11 others, of Eustis, Me., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LIVERNASH: Resolutions of the Manufacturers and Producers' Association of California, favoring the Lodge bill relating to reorganization of consular service of the United States—to the Committee on Foreign Affairs.

Also, resolutions of the board of directors of the Manufacturers and Producers' Association of California, favoring legislation for revival of American merchant marine in the foreign carrying trade—to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the board of supervisors of city and county of San Francisco to the President and Congress of the United States, in relation to Tuolumne River and Lake Eleanor rights of way—to the Committee on Rivers and Harbors.

Also, resolutions of the board of directors of the Manufacturers and Producers' Association of California, favoring the adoption of the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

By Mr. LOUDENSLAGER: Petitions of Samuel A. Bacon and 18 others, of Haddonfield; Rev. William G. Robinson and 9 others, of Newfield; J. C. Snelbaker and 21 others, of Woodstown and vicinity, and George L. Van Alen and 16 others, of Blackwood, all in New Jersey, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MARSHALL: Petition of E. Watts, R. Horne, and J. B. Ross, trustees of the Methodist Episcopal Church, and 9 others, of Leonard, N. Dak., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of J. W. Bliss and 22 others, of Lakota, N. Dak.; Will. H. Carliter and 67 others, of Griggs County, N. Dak., and Ezra Rose Camp and 35 others, of St. Thomas, N. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Mr. MEYER of Louisiana: Memorial to accompany bill for relief of Samuel W. Evans—to the Committee on Military Affairs.

Also, resolutions of Oscar Orillion Post, No. 14, Grand Army of the Republic, of Louisiana, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: Papers to accompany bill to increase pension of Dennis Spurrier—to the Committee on Invalid Pensions.

By Mr. PAYNE: Petitions of Jesse P. Knapp and 38 other voters of the towns of Barrington and Starkey, N. Y., and W. H. Laraby and 8 other voters of Starkey, N. Y., urging the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce of New York City, relating to the transportation of merchandise between the United States and the Philippine Islands—to the Committee on the Merchant Marine and Fisheries.

By Mr. PORTER: Papers to accompany bill H. R. 11866, to correct the military record of Cereach Schnepf—to the Committee on Military Affairs.

By Mr. RIXEY: Petition of George Roberts, M. D., and 30 others, of Lincoln, Va., and vicinity, and of W. T. Davis and 32 others, of Purcellville, Va., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBERTS: Resolutions of Major-General H. G. Berry Post, No. 40, of Malden, Mass., and J. P. Gould Post, No. 75, of Stoneham, Mass., Grand Army of the Republic, and Union Veterans' Union of Chelsea, Mass., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of Samuel Houk, of Bingen, Ind., relative to increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SHACKLEFORD: Papers to accompany bill H. R. 7619—to the Committee on the Public Lands.

By Mr. SHULL: Paper to accompany bill H. R. 11872, granting a pension to Howard S. Gardner—to the Committee on Pensions.

By Mr. SNOOK: Resolutions of Salem Evangelical Sunday School, of Defiance County, Ohio, protesting against a repeal of the anticantonee law—to the Committee on Military Affairs.

By Mr. SPERRY: Petition and papers from the National Society of the Daughters of the American Revolution, praying for a specific appropriation for the cutting of the reverse face of the Great Seal, and that it be placed in the custody of the Department of State for such purposes as may be appropriate—to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Resolution of the New York State assembly, relative to the promotion of efficiency in the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Live Stock Breeders' Association of Minnesota, relative to investigation and study of infectious diseases among domestic animals—to the Committee on Agriculture.

Also, resolution of Michael Cook Post, No. 123, Grand Army of the Republic, of Faribault, Minn., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Rev. S. Phoenix and others, of Stillwater, Minn., against sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of citizens of Washington County, Minn., relative to compensation of rural carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the St. Paul Board of Trade, relative to increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of Iowa: Petition of 12 voters of Salix, 25 voters of Cherokee, 49 voters of Dickens, 29 voters of Ida Grove, 54 voters of Irwood, 19 voters of Hinton, 17 voters of Seney, 33 voters of Doon, and Society of Friends of Oskaloosa, all of Iowa, and 12 citizens of Croftonville, Cal., praying for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of McDowell Post, No. 391, of Early; General Bell Post, No. 332, of Kingsley; Hartley Post, No. 451, of Hartley;

Winget Post, No. 226, of Winget; Kenyon Post, No. 339, of Kenyon; Mathew Gray Post, No. 93, of Ida Grove; Hanscom Post, No. 97, of Hanscom; James Miller Post, No. 503, of Marathon; Launty Post, No. 215, of Ireton; Wallar Post, No. 223, of Milford; William D. Price Post, No. 392, of Schaller; Custer Post, No. 25, of Cherokee; Stephen A. Hurlburt Post, No. 82, of Alta; Annett Post, No. 124, of Annett; General Hancock Post, No. 22, of Sioux City, and Peter Vanorman Post, No. 519, all in Iowa, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: Petition of Rev. N. E. Dennis and 23 others, of Seneca, Mich., and E. W. Ryan and 56 others, of Detroit, Mich., for the passage of the Hepburn-Dylliver bill—to the Committee on the Judiciary.

By Mr. WACHTER: Petition of the American Towing and Lightering Company, of Baltimore, against passage of bill S. 3861, relative to inspection of seagoing barges—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Merchants and Manufacturers' Association of Baltimore, in opposition to parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WANGER: Resolutions of Captain H. Clay Beatty Post, No. 73, Grand Army of the Republic, of Bristol, Pa., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: Petitions of S. G. Cooper, F. H. Ray, and others, of Canton, Madison County, Miss., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WYNN: Papers to accompany bill H. R. 3533, granting an increase of pension to Capt. R. H. McIlroy—to the Committee on Invalid Pensions.

Also, memorial of board of supervisors of the city and county of San Francisco, relative to Tuolumne River and Lake Eleanor reservoir rights of way—to the Committee on Rivers and Harbors.

SENATE.

MONDAY, February 8, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

POST-OFFICE DEPARTMENT INVESTIGATION.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, transmitting, in response to a resolution of the 5th instant, the full report of the honorable Fourth Assistant Postmaster-General, dated October 24, 1903, together with other letters, reports, and communications bearing upon the investigation of the irregularities in the Post-Office Department by Assistant Postmaster-General Bristow, etc.; which, with the accompanying papers, was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

FRENCH SPOILIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Active*, Samuel Pote, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Apollo*, John Ring, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 5th instant approved and signed the act (S. 2795) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892.

The message also announced that the President of the United States had on the 6th instant approved and signed the act (S. 540) providing for an additional officer in the district of Chicago, in the collection district of Indiana and Illinois.